H. R. 5560

To restrict the use of steel-jaw leghold traps and Conibear traps on animals in the United States.

IN THE HOUSE OF REPRESENTATIVES

JUNE 22, 2016

Ms. ADAMS (for herself and Mrs. LOWEY) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Foreign Affairs, 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

A BILL

To restrict the use of steel-jaw leghold traps and Conibear traps on animals in the United States.

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. SHORT TITLE.
4 This Act may be cited as the “Public Safety and
5 Wildlife Protection Act”.

6 SEC. 2. DECLARATION OF POLICY.
7 It is the policy of the United States to reduce risks
8 to public safety, as well as unnecessary harm to com-
panion animals and wildlife, from indiscriminate and injurious trapping methods by prohibiting the import or export of, and the shipment in interstate commerce of, steel-jaw leghold traps and Conibear traps.

SEC. 3. PROHIBITED ACTS AND PENALTIES.

(a) Prohibited Acts.—It shall be unlawful for any person—

(1) to import, export, deliver, carry, or transport by any means whatever, in interstate commerce, any steel-jaw leghold trap or Conibear trap; or

(2) to sell, receive, acquire, or purchase any steel-jaw leghold trap or Conibear trap that was delivered, carried, or transported in violation of paragraph (1).

(b) Penalties.—Whoever knowingly violates subsection (a) shall, in addition to any other penalty that may be imposed, be subject to the following:

(1) For the first such violation, a civil fine of not more than $500 imposed by the Secretary for each steel-jaw leghold trap or Conibear trap possessed.

(2) For each subsequent violation, a civil fine of not more than $1,000 imposed by the Secretary for each steel-jaw leghold trap or Conibear trap pos-
sessed, or imprisonment for not more than 2 years, or both.

(c) Payment of Court Costs and Other Associated Expenses.—A person found to be in violation of subsection (a) shall pay all court costs associated therewith.

SEC. 4. REWARDS.

(a) General Rule.—The Secretary shall pay, to any person who furnishes information that leads to a conviction of a violation of any provision of this Act or any rule made under this Act, an amount equal to one-half of the fine paid pursuant to the conviction.

(b) Exception.—Any officer or employee of the United States or of any State or local government who furnishes information or renders service in the performance of his or her official duties is not eligible for payment under this section.

SEC. 5. ENFORCEMENT.

(a) In General.—Except with respect to violations of this Act to which subsection (b) applies, this Act and any rules made under this Act shall be enforced by the Secretary, who may use by agreement, with or without reimbursement, the personnel, services, and facilities of any other Federal agency or any State agency for purposes of enforcing this Act and such rules.
(b) Import and Export Violations.—

(1) Import Violations.—The importation of articles in violation of section 3(a) shall be treated as a violation of the customs laws of the United States, and those provisions of law relating to violations of the customs laws of the United States shall apply thereto.

(2) Export Violations.—The authorities under the Export Administration Act of 1979 (50 U.S.C. App. 2401 et seq.) (as continued in effect under the International Emergency Economic Powers Act), including penalties, shall be used to enforce the provisions of this Act relating to the export of articles in violation of section 3(a).

(c) Forfeiture.—

(1) General Rule.—Except with respect to exports to which the provisions of the Export Administration Act of 1979 (50 U.S.C. App. 2401 et seq.) (as continued in effect under the International Emergency Economic Powers Act) apply, and imports to which the customs laws of the United States apply, pursuant to subsection (b), any steel-jaw leghold trap or Conibear trap taken, possessed, sold, purchased, offered for sale or purchase, imported, exported, transported, delivered, received, carried, or
shipped in violation of this Act or any rule made
der under this Act, shall be subject to forfeiture to the
United States. Those provisions of law relating to—

(A) the seizure, summary and judicial for-
feiture, and condemnation of property for viola-
tions of the customs laws of the United States,
(B) the disposition of such property or the
proceeds from the sale thereof,
(C) the remission or mitigation of such for-
feitures, and
(D) the compromise of claims,
shall apply to seizures and forfeitures incurred, or
alleged to have been incurred, under the provisions
of this subsection, insofar as applicable and not in-
consistent with this Act.

(2) ENFORCEMENT.—Such duties as are im-
posed upon the customs officer or any other person
with respect to the seizure and forfeiture of property
under the customs laws of the United States may be
performed with respect to seizures and forfeitures of
property under this subsection by the Secretary or
such officers and employees as may be authorized or
designated for that purpose by the Secretary, or,
upon the request of the Secretary, by any other
agency that has authority to manage and dispose of
seized property.

(d) INJUNCTIONS.—The Attorney General of the
United States may seek to enjoin any person who is al-
leged to be in violation of this Act or any rule made under
this Act.

(e) COOPERATION.—The Secretary of Commerce, the
Secretary of the Treasury, and the head of any other de-
partment or agency with enforcement responsibilities
under this Act shall cooperate with the Secretary in ensur-
ing that this Act, and rules made under this Act, are en-
forced in the most effective and efficient manner.

SEC. 6. DEFINITIONS.

In this Act:

(1) STEEL-JAW LEGHOLD TRAP.—The term
“steel-jaw leghold trap”—

(A) means any spring-powered pan or schar-
activated device with one or two opposing steel
jaws, whether the jaws are smooth, toothed,
padded, enclosed (dog-proof), or offset, that is
designed to capture an animal by snapping
closed upon the animal’s limb, foot, or part
thereof; and
(B) does not include any cage or box trap; suitcase-type live beaver trap; or mouse or rat snap trap.

(2) **CONIBEAR TRAP.**—The term “Conibear trap”—

(A) means any trap consisting of two metal frames hinged at the center point and powered by two torsion springs to create a scissor-like action designed to kill an animal by snapping an animal’s spinal column; and

(B) does not include any cage or box trap; suitcase-type live beaver trap; mouse or rat snap trap.

(3) **CUSTOMS LAWS OF THE UNITED STATES.**—

The term “customs laws of the United States” means any other law or regulation enforced or administered by the United States Customs Service.

(4) **IMPORT.**—The term “import” means to land on, bring into, or introduce into, any place subject to the jurisdiction of the United States, whether or not such landing, bringing, or introduction constitutes an entry into the customs territory of the United States.
(5) INTERSTATE COMMERCE.—The term “interstate commerce” has the meaning given such term in section 10 of title 18, United States Code.

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

SEC. 7. RULEMAKING.

The Secretary may make rules to carry out this Act.

SEC. 8. EFFECTIVE DATE.

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