

105TH CONGRESS  
1ST SESSION

# H. R. 1176

To end the use of steel jaw leghold traps on animals in the United States.

---

## IN THE HOUSE OF REPRESENTATIVES

MARCH 20, 1997

Mrs. LOWEY (for herself, Mr. SHAYS, Mr. HYDE, Mrs. MALONEY of New York, Ms. PELOSI, Mr. MEEHAN, Mr. TRAFICANT, Mr. CLAY, Mr. TORRES, Mr. MORAN of Virginia, Mr. GOSS, Mr. FILNER, Mr. MANTON, Mr. MARTINEZ, Ms. WOOLSEY, Mr. PORTER, Ms. SLAUGHTER, Mr. DEUTSCH, Mr. YATES, Ms. ROYBAL-ALLARD, Mr. GEJDENSON, Mr. MARKEY, Mr. FARR of California, Mr. ABERCROMBIE, Mr. ANDREWS, Mr. FOGLIETTA, Ms. NORTON, Mrs. MINK of Hawaii, Mrs. KENNELLY of Connecticut, Mr. LEWIS of Georgia, Mrs. MORELLA, Mr. GALLEGLY, Mr. MATSUI, Mr. GILMAN, Mr. BERMAN, Mr. OLVER, Mr. LEVIN, Mr. DEFazio, Mr. SKAGGS, Mr. SCHIFF, Mr. SMITH of New Jersey, and Mr. LANTOS) introduced the following bill; which was referred to the Committee on Commerce, and in addition to the Committees on Ways and Means, International Relations, and the Judiciary, 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 end the use of steel jaw leghold 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,*

1 **SECTION 1. DECLARATION OF POLICY.**

2 It is the policy of the United States to end the need-  
3 less maiming and suffering inflicted upon animals through  
4 the use of steel jaw leghold traps by prohibiting the import  
5 or export of, and the shipment in interstate commerce of,  
6 such traps and of articles of fur from animals that were  
7 trapped in such traps.

8 **SEC. 2. DEFINITIONS.**

9 As used in this Act:

10 (1) The term “article of fur” means—

11 (A) any furskin, whether raw or tanned or  
12 dressed; or

13 (B) any article, however produced, that  
14 consists in whole or part of any furskin.

15 For purposes of subparagraph (A), the terms  
16 “furskin”, “raw”, and “tanned or dressed” have the  
17 same respective meanings as those terms have under  
18 headnote 1 of chapter 43 of the Harmonized Tariff  
19 Schedule of the United States.

20 (2) The term “interstate commerce” shall have  
21 the same meaning as that given to such term in sec-  
22 tion 10 of title 18, United States Code.

23 (3) The term “import” means to land on, bring  
24 into, or introduce into, any place subject to the ju-  
25 risdiction of the United States, whether or not such  
26 landing, bringing, or introduction constitutes an

1 entry into the customs territory of the United  
2 States.

3 (4) The term “person” includes any individual,  
4 partnership, association, corporation, trust, or any  
5 officer, employee, agent, department, or instrumen-  
6 tality of the Federal Government or of any State or  
7 political subdivision thereof, or any other entity sub-  
8 ject to the jurisdiction of the United States.

9 (5) The term “Secretary” means the Secretary  
10 of the Interior.

11 (6) The term “steel jaw leghold trap” means  
12 any spring-powered pan- or sear-activated device  
13 with two opposing steel jaws which is designed to  
14 capture an animal by snapping closed upon the ani-  
15 mal’s limb or part thereof.

16 **SEC. 3. PROHIBITED ACTS AND PENALTIES.**

17 (a) PROHIBITION.—No article of fur shall be im-  
18 ported, exported, or shipped in interstate commerce if any  
19 part or portion of such article is derived from an animal  
20 that was trapped in a steel jaw leghold trap.

21 (b) OFFENSES.—It is unlawful for any person know-  
22 ingly—

23 (1) to import, export, ship, or receive any arti-  
24 cle of fur in contravention of subsection (a);

1           (2) to import, export, deliver, carry, transport,  
2           or ship by any means whatever, in interstate com-  
3           merce, any steel jaw leghold trap;

4           (3) to sell, receive, acquire, or purchase any  
5           steel jaw leghold trap that was delivered, carried,  
6           transported, or shipped in contravention of para-  
7           graph (2); or

8           (4) to violate any regulation prescribed by the  
9           Secretary under this section.

10          (c) PENALTIES.—Any person who knowingly commits  
11          an act which violates subsection (a) or (b), or any regula-  
12          tion issued under this section, shall, in addition to any  
13          other penalty that may be imposed—

14                (1) for the first such violation, be guilty of an  
15                infraction under title 18, United States Code; and

16                (2) for each subsequent violation, be imprisoned  
17                for not more than two years, or fined in the amount  
18                set forth in title 18, United States Code, or both.

19          **SEC. 4. REWARDS.**

20          The Secretary shall pay, to any person who furnishes  
21          information which leads to a conviction of a violation of  
22          any provision of this Act or any regulation issued there-  
23          under, an amount equal to one half of the fine paid pursu-  
24          ant to the conviction. Any officer or employee of the Unit-  
25          ed States or of any State or local government who fur-

1 nishes information or renders service in the performance  
2 of his or her official duties is not eligible for payment  
3 under this section.

4 **SEC. 5. ENFORCEMENT.**

5 (a) IN GENERAL.—Except with respect to violations  
6 of this Act to which subsection (b) applies, the provisions  
7 of this Act and any regulations issued pursuant thereto  
8 shall be enforced by the Secretary, who may utilize by  
9 agreement, with or without reimbursement, the personnel,  
10 services, and facilities of any other Federal agency or any  
11 State agency for purposes of enforcing this Act and such  
12 regulations.

13 (b) EXPORT AND IMPORT VIOLATIONS.—

14 (1) IMPORT VIOLATIONS.—The importation of  
15 articles in contravention of section 3 shall be treated  
16 as a violation of the customs laws of the United  
17 States, and those provisions of law relating to viola-  
18 tions of the customs laws shall apply thereto.

19 (2) EXPORT VIOLATIONS.—The authorities  
20 under the Export Administration Act of 1979 (in-  
21 cluding penalties) shall be used to enforce the provi-  
22 sions of this Act relating to the export of articles in  
23 contravention of section 3.

24 (c) JUDICIAL PROCESS.—The district courts of the  
25 United States may, within their respective jurisdictions,

1 upon proper oath or affirmation showing probable cause,  
2 issue such warrants or other process as may be required  
3 for enforcement of this Act and any regulation issued  
4 thereunder.

5 (d) ENFORCEMENT AUTHORITIES.—Any individual  
6 having authority to enforce this Act (except with respect  
7 to violations to which subsection (b) applies), may, in exer-  
8 cising such authority—

9 (1) detain for inspection, search, and seize any  
10 package, crate, or other container, including its con-  
11 tents, and all accompanying documents, if such indi-  
12 vidual has reasonable cause to suspect that in such  
13 package, crate, or other container are articles with  
14 respect to which a violation of this Act (except with  
15 respect to a violations to which subsection (b) ap-  
16 plies) has occurred, is occurring, or is about to  
17 occur;

18 (2) make arrests without a warrant for any vio-  
19 lation of this Act (except with respect to a violation  
20 to which subsection (b) applies) committed in his or  
21 her presence or view or if the individual has probable  
22 cause to believe that the person to be arrested has  
23 committed or is committing such a violation; and

24 (3) execute and serve any arrest warrant,  
25 search warrant, or other warrant or criminal process

1 issued by any judge or magistrate of any court of  
2 competent jurisdiction for enforcement of this Act  
3 (except with respect to violations to which subsection  
4 (b) applies).

5 (e) FORFEITURE.—Except with respect to exports to  
6 which the provisions of the Export Administration Act of  
7 1979 apply, and imports to which the customs laws of the  
8 United States apply, pursuant to subsection (b), any arti-  
9 cle of fur or steel jaw leghold trap taken, possessed, sold,  
10 purchased, offered for sale or purchase, imported, ex-  
11 ported, transported, delivered, received, carried, or  
12 shipped in violation of this Act or any regulation issued  
13 pursuant thereto, shall be subject to forfeiture to the Unit-  
14 ed States. Those provisions of law relating to—

15 (1) the seizure, summary and judicial forfeiture,  
16 and condemnation of property for violations of the  
17 customs laws,

18 (2) the disposition of such property or the pro-  
19 ceeds from the sale thereof,

20 (3) the remission or mitigation of such forfeit-  
21 ures, and

22 (4) the compromise of claims,

23 shall apply to seizures and forfeitures incurred, or alleged  
24 to have been incurred, under the provisions of this sub-  
25 section, insofar as applicable and not inconsistent with

1 this title; except that such duties as are imposed upon the  
2 customs officer or any other person with respect to the  
3 seizure and forfeiture of property under the customs laws  
4 may be performed with respect to seizures and forfeitures  
5 of property under this subsection by the Secretary or such  
6 officers and employees as may be authorized or designated  
7 for that purpose by the Secretary, or, upon the request  
8 of the Secretary, by any other agency that has authority  
9 to manage and dispose of seized property.

10 (f) INJUNCTIONS.—The Attorney General of the  
11 United States may seek to enjoin any person who is al-  
12 leged to be in violation of any provision of this Act or regu-  
13 lation issued under authority thereof.

14 (g) COOPERATION.—The Secretary of Commerce, the  
15 Secretary of the Treasury, and the head of any other de-  
16 partment or agency with enforcement responsibilities  
17 under this Act shall cooperate with the Secretary in ensur-  
18 ing that this Act, and regulations issued thereunder, are  
19 enforced in the most effective and efficient manner.

20 **SEC. 6. REGULATIONS.**

21 (a) IN GENERAL.—The Secretary shall prescribe  
22 such regulations as are necessary to carry out this Act.



1 **SEC. 7. EFFECTIVE DATE.**

2       This Act shall take effect one year after the date of  
3 its enactment.

○