

116TH CONGRESS
2D SESSION

H. R. 8828

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

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 2, 2020

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-

1 sessed, or imprisonment for not more than 2 years,
2 or both.

3 (c) PAYMENT OF COURT COSTS AND OTHER ASSOCI-
4 ATED EXPENSES.—A person found to be in violation of
5 subsection (a) shall pay all court costs associated there-
6 with.

7 **SEC. 4. REWARDS.**

8 (a) GENERAL RULE.—The Secretary shall pay, to
9 any person who furnishes information that leads to a con-
10 viction of a violation of any provision of this Act or any
11 rule made under this Act, an amount equal to one-half
12 of the fine paid pursuant to the conviction.

13 (b) EXCEPTION.—Any officer or employee of the
14 United States or of any State or local government who
15 furnishes information or renders service in the perform-
16 ance of his or her official duties is not eligible for payment
17 under this section.

18 **SEC. 5. ENFORCEMENT.**

19 (a) IN GENERAL.—Except with respect to violations
20 of this Act to which subsection (b) applies, this Act and
21 any rules made under this Act shall be enforced by the
22 Secretary, who may use by agreement, with or without re-
23 imbursement, the personnel, services, and facilities of any
24 other Federal agency or any State agency for purposes
25 of enforcing this Act and such rules.

1 (b) IMPORT AND EXPORT VIOLATIONS.—

2 (1) IMPORT VIOLATIONS.—The importation of
3 articles in violation of section 3(a) shall be treated
4 as a violation of the customs laws of the United
5 States, and those provisions of law relating to viola-
6 tions of the customs laws of the United States shall
7 apply thereto.

8 (2) EXPORT VIOLATIONS.—The authorities
9 under the Export Administration Act of 1979 (50
10 U.S.C. App. 2401 et seq.) (as continued in effect
11 under the International Emergency Economic Pow-
12 ers Act), including penalties, shall be used to enforce
13 the provisions of this Act relating to the export of
14 articles in violation of section 3(a).

15 (c) FORFEITURE.—

16 (1) GENERAL RULE.—Except with respect to
17 exports to which the provisions of the Export Ad-
18 ministration Act of 1979 (50 U.S.C. App. 2401 et
19 seq.) (as continued in effect under the International
20 Emergency Economic Powers Act) apply, and im-
21 ports to which the customs laws of the United States
22 apply, pursuant to subsection (b), any steel-jaw
23 leghold trap or Conibear trap taken, possessed, sold,
24 purchased, offered for sale or purchase, imported,
25 exported, transported, delivered, received, carried, or

1 shipped in violation of this Act or any rule made
2 under this Act, shall be subject to forfeiture to the
3 United States. Those provisions of law relating to—

4 (A) the seizure, summary and judicial for-
5 feiture, and condemnation of property for viola-
6 tions of the customs laws of the United States;

7 (B) the disposition of such property or the
8 proceeds from the sale thereof;

9 (C) the remission or mitigation of such for-
10 feitures; and

11 (D) the compromise of claims,

12 shall apply to seizures and forfeitures incurred, or
13 alleged to have been incurred, under the provisions
14 of this subsection, insofar as applicable and not in-
15 consistent with this Act.

16 (2) ENFORCEMENT.—Such duties as are im-
17 posed upon the customs officer or any other person
18 with respect to the seizure and forfeiture of property
19 under the customs laws of the United States may be
20 performed with respect to seizures and forfeitures of
21 property under this subsection by the Secretary or
22 such officers and employees as may be authorized or
23 designated for that purpose by the Secretary, or,
24 upon the request of the Secretary, by any other

1 agency that has authority to manage and dispose of
2 seized property.

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

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

13 **SEC. 6. DEFINITIONS.**

14 In this Act:

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

17 (A) means any spring-powered pan or sear-
18 activated device with one or two opposing steel
19 jaws, whether the jaws are smooth, toothed,
20 padded, enclosed (dog-proof), or offset, that is
21 designed to capture an animal by snapping
22 closed upon the animal’s limb, foot, or part
23 thereof; and

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

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

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

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

14 (3) CUSTOMS LAWS OF THE UNITED STATES.—
15 The term “customs laws of the United States”
16 means any other law or regulation enforced or ad-
17 ministered by the United States Customs Service.

18 (4) IMPORT.—The term “import” means to
19 land on, bring into, or introduce into, any place sub-
20 ject to the jurisdiction of the United States, whether
21 or not such landing, bringing, or introduction con-
22 stitutes an entry into the customs territory of the
23 United States.

1 (5) INTERSTATE COMMERCE.—The term “inter-
2 state commerce” has the meaning given such term
3 in section 10 of title 18, United States Code.

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

6 **SEC. 7. RULEMAKING.**

7 The Secretary may make rules to carry out this Act.

8 **SEC. 8. EFFECTIVE DATE.**

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

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