

115TH CONGRESS
1ST SESSION

H. R. 1438

To end the use of body-gripping traps in the National Wildlife Refuge System.

IN THE HOUSE OF REPRESENTATIVES

MARCH 8, 2017

Mrs. LOWEY (for herself, Mr. KHANNA, Ms. BROWNLEY of California, Mr. AGUILAR, Mr. QUIGLEY, Ms. JUDY CHU of California, Mr. SCHIFF, Mr. SERRANO, Mr. POLIS, Mr. MEEKS, Mrs. DEMINGS, Mr. LOWENTHAL, Mr. JEFFRIES, Ms. MATSUI, Mr. HASTINGS, Mr. HUFFMAN, Mr. KILMER, Ms. SCHAKOWSKY, Ms. SPEIER, Mr. LARSEN of Washington, Mr. MCGOVERN, Ms. LEE, Mr. LANGEVIN, Ms. ROYBAL-ALLARD, Mr. CONNOLLY, Ms. GABBARD, Mr. DEUTCH, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. GRIJALVA, Mr. BEYER, Mr. CÁRDENAS, Mr. KEATING, Mr. CICILLINE, Mr. ENGEL, Mr. ELLISON, Mr. POCAN, Ms. CLARK of Massachusetts, Mr. GUTIÉRREZ, Mr. BLUMENAUER, Mr. SMITH of Washington, Mrs. DAVIS of California, Mr. FOSTER, Mr. PASCRELL, Mr. DEFazio, Mr. BRADY of Pennsylvania, Ms. TITUS, Mr. CARTWRIGHT, Ms. CLARKE of New York, Ms. SHEA-PORTER, Mr. COHEN, Mr. SEAN PATRICK MALONEY of New York, Mr. TED LIEU of California, Ms. ADAMS, Mr. KRISHNAMOORTHY, Mr. NADLER, and Mr. CLAY) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To end the use of body-gripping traps in the National
Wildlife Refuge System.

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. SHORT TITLE.**

2 This Act may be cited as the “Refuge From Cruel
3 Trapping Act”.

4 **SEC. 2. POSSESSION OR USE OF BODY-GRIPPING TRAP PRO-**
5 **HIBITED.**

6 The National Wildlife Refuge System Administration
7 Act of 1966 (16 U.S.C. 668dd et seq.) is amended by add-
8 ing at the end the following:

9 **“SEC. 6. POSSESSION OR USE OF BODY-GRIPPING TRAP**
10 **PROHIBITED.**

11 “(a) IN GENERAL.—No person may possess or use
12 a body-gripping trap in the System.

13 “(b) ENFORCEMENT PROVISIONS.—Notwithstanding
14 section 4(f), a person who possesses or uses a body-grip-
15 ping trap in the System shall be subject to the following:

16 “(1) In the case of a first offense, a civil fine
17 of not more than \$500 imposed by the Secretary for
18 each body-gripping trap possessed or used.

19 “(2) In the case of a subsequent offense—

20 “(A) a civil fine of not more than \$1,000
21 imposed by the Secretary for each body-grip-
22 ping trap possessed or used;

23 “(B) imprisonment for not more than 180
24 days; or

25 “(C) both a civil fine and imprisonment in
26 accordance with subparagraphs (A) and (B).

1 “(c) FORFEITURE OF BODY-GRIPPING TRAP.—Any
2 body-gripping trap that is possessed or used in violation
3 of this section, and any wildlife captured by the use of
4 such trap, including the pelt or raw fur, shall be subject
5 to forfeiture to the United States in accordance with the
6 provisions of chapter 46 of title 18, United States Code,
7 relating to civil forfeitures.

8 “(d) PAYMENT OF COURT COSTS AND OTHER ASSO-
9 CIATED EXPENSES.—A person found to be in violation of
10 subsection (a) shall pay all court costs associated there-
11 with.

12 “(e) REGULATIONS.—Not later than 120 days after
13 the date of the enactment of this section, the Secretary
14 shall issue any regulations necessary to carry out this sec-
15 tion.

16 “(f) BODY-GRIPPING TRAP DEFINED.—As used in
17 this section, the term ‘body-gripping trap’—

18 “(1) except as provided in paragraph (3),
19 means any device that is intended to kill or capture
20 wildlife by physically restraining any part of the ani-
21 mal;

22 “(2) includes any—

23 “(A) steel-jaw, padded, or other modified
24 leghold trap;

25 “(B) kill-type trap;

1 “(C) snare trap; or
2 “(D) modified version of any such trap;
3 and
4 “(3) does not include any—
5 “(A) cage or box trap; or
6 “(B) suitcase-type live beaver trap.”.

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