

117TH CONGRESS
1ST SESSION

H. R. 4716

To end the use of body-gripping traps in the National Wildlife Refuge System,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 27, 2021

Mr. NADLER (for himself, Mr. BLUMENAUER, Mr. KILMER, Mr. COHEN, Mr. CONNOLLY, Mr. CASTEN, Mr. ESPAILLAT, Mr. SCHIFF, Ms. ESHOO, Mr. PETERS, Mr. KHANNA, Ms. VELÁZQUEZ, Mr. SWALWELL, Ms. WASSERMAN SCHULTZ, Ms. LEE of California, Ms. NORTON, Mr. POCAN, Ms. BROWNLEY, Ms. DEAN, Mr. KRISHNAMOORTHY, Mr. LOWENTHAL, Mr. PRICE of North Carolina, Mr. SMITH of Washington, Mr. DEFAZIO, Mrs. CAROLYN B. MALONEY of New York, Ms. SCHAKOWSKY, and Mr. SEAN PATRICK MALONEY of New York) 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, 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. SHORT TITLE.**

4 This Act may be cited as the “Refuge From Cruel
5 Trapping Act of 2021”.

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

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

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

8 “(a) IN GENERAL.—Except as provided in subsection
9 (b), no person may possess or use a body-gripping trap
10 in the System.

11 “(b) EXCEPTIONS.—

12 “(1) IN GENERAL.—Subsection (a) shall not
13 apply to the use of a body-gripping trap—

14 “(A) by an agency of the Federal Govern-
15 ment;

16 “(B) to—

17 “(i) control an invasive species (as
18 such term is defined in section 10(a) of the
19 Fish and Wildlife Coordination Act) to
20 achieve resource management objectives; or

21 “(ii) protect a species that—

22 “(I) is listed as endangered or
23 threatened under the Endangered
24 Species Act of 1973; or

1 “(II) the Secretary of the Inte-
2 rior has designated as a sensitive spe-
3 cies; and

4 “(C) if—

5 “(i) such use is in accordance with
6 Federal and State law; and

7 “(ii) all viable nonlethal methods for
8 achieving a goal described in paragraph (1)
9 have been attempted and such documenta-
10 tion is maintained at the headquarters of
11 the department that carried out such at-
12 tempt.

13 “(2) TRAINING.—Subsection (a) does not apply
14 to training in the dismantling of body-gripping
15 traps.

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

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

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

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

1 “(B) imprisonment for not more than 180
2 days; or

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

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

12 “(e) PAYMENT OF COURT COSTS AND OTHER ASSO-
13 CIATED EXPENSES.—A person found to be in violation of
14 subsection (a) shall pay all associated court costs.

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

19 “(g) DEFINITIONS.—

20 “(1) BODY-GRIPPING TRAP.—In this section,
21 the term ‘body-gripping trap’—

22 “(A) except as provided in paragraph (3),
23 means any device that is intended to kill or cap-
24 ture wildlife by physically restraining any part
25 of the animal;

1 “(B) includes any—

2 “(i) steel-jaw, padded, or other modi-
3 fied leghold trap;

4 “(ii) kill-type trap;

5 “(iii) snare trap; or

6 “(iv) modified version of any such
7 trap; and

8 “(C) does not include any—

9 “(i) cage or box trap; or

10 “(ii) suitcase-type live beaver trap.

11 “(2) NONLETHAL METHODS.—The term ‘non-
12 lethal methods’—

13 “(A) includes exclusions, barriers, harass-
14 ment and scaring devices, and any other meth-
15 od that does not result in the death of target
16 or non-target species, except

17 “(B) does not include the use of a body-
18 gripping trap.”.

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