

**AMENDMENT TO RULES COMMITTEE PRINT 117-**

**31**

**OFFERED BY MR. QUIGLEY OF ILLINOIS**

Page 1664, after line 10, insert the following:

1 (a) DEFINITIONS.—Section 2 of the Lacey Act  
2 Amendments of 1981 (16 U.S.C. 3371) is amended—

3 (1) by redesignating subsections (a) through (k)  
4 as subsections (b) through (l), respectively; and

5 (2) by inserting before subsection (b) (as so re-  
6 designated) the following:

7 “(a) BREED.—The term ‘breed’ means to facilitate  
8 propagation or reproduction (whether intentionally or neg-  
9 ligently), or to fail to prevent propagation or reproduc-  
10 tion.”.

11 (3) CONFORMING AMENDMENTS.—

12 (A) CONSOLIDATED FARM AND RURAL DE-  
13 VELOPMENT ACT.—Section 349(a)(3) of the  
14 Consolidated Farm and Rural Development Act  
15 (7 U.S.C. 1997(a)(3)) is amended by striking  
16 “section 2(a)” and inserting “section 2(b)”.

17 (B) LACEY ACT AMENDMENTS OF 1981.—

1 (i) Section 3(e)(2)(C) of the Lacey  
2 Act Amendments of 1981 (16 U.S.C.  
3 3372(e)(2)(C)) is amended—

4 (I) in clause (ii), by striking  
5 “section 2(g)” and inserting “section  
6 2(h)”; and

7 (II) in clause (iii), by striking  
8 “section 2(g)” and inserting “section  
9 2(h)”.

10 (ii) Section 7(c) of the Lacey Act  
11 Amendments of 1981 (16 U.S.C. 3376(e))  
12 is amended by striking “section  
13 2(f)(2)(A)” and inserting “section  
14 2(g)(2)(A)”.

15 (b) PROHIBITIONS.—Section 3 of the Lacey Act  
16 Amendments of 1981 (16 U.S.C. 3372) is amended—

17 (1) in subsection (a)—

18 (A) in paragraph (2)—

19 (i) in subparagraph (A), by striking  
20 the semicolon at the end and inserting “;  
21 or”;

22 (ii) in subparagraph (B)(iii), by strik-  
23 ing “; or” and inserting a semicolon; and

24 (iii) by striking subparagraph (C);  
25 and

1 (B) in paragraph (4), by striking “(1)  
2 through (3)” and inserting “(1) through (3) or  
3 subsection (e)”; and

4 (2) by amending subsection (e) to read as fol-  
5 lows:

6 “(e) CAPTIVE WILDLIFE OFFENSE.—

7 “(1) IN GENERAL.—It is unlawful for any per-  
8 son to import, export, transport, sell, receive, ac-  
9 quire, or purchase in interstate or foreign commerce,  
10 or in a manner substantially affecting interstate or  
11 foreign commerce, or to breed or possess, any pro-  
12 hibited wildlife species.

13 “(2) LIMITATION ON APPLICATION.—Paragraph  
14 (1) does not apply to—

15 “(A) an entity exhibiting animals to the  
16 public under a Class C license from the Depart-  
17 ment of Agriculture, or a Federal facility reg-  
18 istered with the Department of Agriculture that  
19 exhibits animals, if such entity or facility holds  
20 such license or registration in good standing  
21 and if the entity or facility—

22 “(i) does not allow any individual to  
23 come into direct physical contact with a  
24 prohibited wildlife species, unless that indi-  
25 vidual is—

1           “(I) a trained professional em-  
2           ployee or contractor of the entity or  
3           facility (or an accompanying employee  
4           receiving professional training);

5           “(II) a licensed veterinarian (or a  
6           veterinary student accompanying such  
7           a veterinarian); or

8           “(III) directly supporting con-  
9           servation programs of the entity or fa-  
10          cility, the contact is not in the course  
11          of commercial activity (which may be  
12          evidenced by advertisement or pro-  
13          motion of such activity or other rel-  
14          evant evidence), and the contact is in-  
15          cidental to humane husbandry con-  
16          ducted pursuant to a species-specific,  
17          publicly available, peer-edited popu-  
18          lation management and care plan that  
19          has been provided to the Secretary  
20          with justifications that the plan—

21                   “(aa) reflects established  
22                   conservation science principles;

23                   “(bb) incorporates genetic  
24                   and demographic analysis of a

1 multi-institution population of  
2 animals covered by the plan; and

3 “(cc) promotes animal wel-  
4 fare by ensuring that the fre-  
5 quency of breeding is appropriate  
6 for the species;

7 “(ii) ensures that during public exhi-  
8 bition of a lion (*Panthera leo*), tiger  
9 (*Panthera tigris*), leopard (*Panthera*  
10 *pardus*), snow leopard (*Uncia uncia*), jag-  
11 uar (*Panthera onca*), cougar (*Puma*  
12 *concolor*), or any hybrid thereof, the ani-  
13 mal is at least 15 feet from members of  
14 the public unless there is a permanent bar-  
15 rier sufficient to prevent public contact;

16 “(B) a State college, university, or agency,  
17 or a State-licensed veterinarian;

18 “(C) a wildlife sanctuary that cares for  
19 prohibited wildlife species, and—

20 “(i) is a corporation that is exempt  
21 from taxation under section 501(a) of the  
22 Internal Revenue Code of 1986 and de-  
23 scribed in sections 501(c)(3) and  
24 170(b)(1)(A)(vi) of such Code;

1           “(ii) does not commercially trade in  
2           any prohibited wildlife species, including  
3           offspring, parts, and byproducts of such  
4           animals;

5           “(iii) does not breed any prohibited  
6           wildlife species;

7           “(iv) does not allow direct contact be-  
8           tween the public and any prohibited wild-  
9           life species; and

10          “(v) does not allow the transportation  
11          and display of any prohibited wildlife spe-  
12          cies off-site;

13          “(D) has custody of any prohibited wildlife  
14          species solely for the purpose of expeditiously  
15          transporting the prohibited wildlife species to a  
16          person described in this paragraph with respect  
17          to the species; or

18          “(E) an entity or individual that is in pos-  
19          session of any prohibited wildlife species that  
20          was born before the date of the enactment of  
21          the Big Cat Public Safety Act, and—

22          “(i) not later than 180 days after the  
23          date of the enactment of the such Act, the  
24          entity or individual registers each indi-  
25          vidual animal of each prohibited wildlife

1 species possessed by the entity or indi-  
2 vidual with the United States Fish and  
3 Wildlife Service;

4 “(ii) does not breed, acquire, or sell  
5 any prohibited wildlife species after the  
6 date of the enactment of such Act; and

7 “(iii) does not allow direct contact be-  
8 tween the public and prohibited wildlife  
9 species.”.

10 (c) PENALTIES.—

11 (1) CIVIL PENALTIES.—Section 4(a)(1) of the  
12 Lacey Act Amendments of 1981 (16 U.S.C.  
13 3373(a)(1)) is amended—

14 (A) by inserting “(e),” after “(d),”; and

15 (B) by inserting “, (e),” after “subsection  
16 (d)”.

17 (2) CRIMINAL PENALTIES.—Section 4(d) of the  
18 Lacey Act Amendments of 1981 (16 U.S.C.  
19 3373(d)) is amended—

20 (A) in paragraph (1)(A), by inserting  
21 “(e),” after “(d),”;

22 (B) in paragraph (1)(B), by inserting  
23 “(e),” after “(d),”;

24 (C) in paragraph (2), by inserting “(e),”  
25 after “(d),”; and

1 (D) by adding at the end the following:

2 “(4) Any person who knowingly violates sub-  
3 section (e) of section 3 shall be fined not more than  
4 \$20,000, or imprisoned for not more than five years,  
5 or both. Each violation shall be a separate offense  
6 and the offense is deemed to have been committed  
7 in the district where the violation first occurred, and  
8 in any district in which the defendant may have  
9 taken or been in possession of the prohibited wildlife  
10 species.”.

11 (d) FORFEITURE OF PROHIBITED WILDLIFE SPE-  
12 CIES.—Section 5(a)(1) of the Lacey Act Amendments of  
13 1981 (16 U.S.C. 3374(a)(1)) is amended by inserting  
14 “bred, possessed,” before “imported, exported,”.

15 (e) ADMINISTRATION.—Section 7(a) of the Lacey Act  
16 Amendments of 1981 (16 U.S.C. 3376(a)) is amended by  
17 adding at the end the following:

18 “(3) The Secretary shall, in consultation with  
19 other relevant Federal and State agencies, promul-  
20 gate any regulations necessary to implement section  
21 3(e).”.

