

118TH CONGRESS
2D SESSION

S. _____

To amend the Lacey Act Amendments of 1981 to prohibit certain activities involving prohibited primate species, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. BLUMENTHAL (for himself, Mr. PADILLA, and Mr. MURPHY) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend the Lacey Act Amendments of 1981 to prohibit certain activities involving prohibited primate species, 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 “Captive Primate Safety
5 Act”.

1 **SEC. 2. PROHIBITION OF CERTAIN ACTIVITIES INVOLVING**
2 **PROHIBITED PRIMATE SPECIES.**

3 (a) DEFINITION OF PROHIBITED PRIMATE SPE-
4 CIES.—Section 2 of the Lacey Act Amendments of 1981
5 (16 U.S.C. 3371) is amended—

6 (1) by redesignating subsections (h) through (l)
7 as subsections (i) through (m), respectively; and

8 (2) by inserting after subsection (g) the fol-
9 lowing:

10 “(h) PROHIBITED PRIMATE SPECIES.—The term
11 ‘prohibited primate species’ means any live species of
12 nonhuman primate, including species of chimpanzee,
13 galago, gibbon, gorilla, lemur, loris, monkey, orangutan,
14 tarsier, or any hybrid of such species.”.

15 (b) PROHIBITED ACTS.—Section 3(e) of the Lacey
16 Act Amendments of 1981 (16 U.S.C. 3372(e)) is amend-
17 ed—

18 (1) by striking paragraph (1) and all that fol-
19 lows through the period at the end of the undesig-
20 nated matter following subparagraph (B) and insert-
21 ing the following:

22 “(1) IN GENERAL.—Except as provided in para-
23 graph (2), it is unlawful for any person—

24 “(A) to import, export, transport, sell, re-
25 ceive, acquire, or purchase in interstate or for-
26 eign commerce, or in a manner substantially af-

1 fecting interstate or foreign commerce, any pro-
2 hibited wildlife species or prohibited primate
3 species; or

4 “(B) to breed or possess any prohibited
5 wildlife species or prohibited primate species.”;
6 and

7 (2) in paragraph (2)—

8 (A) in subparagraph (C), by inserting “or
9 prohibited primate species” after “prohibited
10 wildlife species” each place it appears; and

11 (B) by striking subparagraphs (D) and (E)
12 and inserting the following:

13 “(D) an entity or individual that has cus-
14 tody of any prohibited wildlife species or prohib-
15 ited primate species for the purpose of expedi-
16 tiously transporting the prohibited wildlife spe-
17 cies or prohibited primate species, as applicable,
18 to an entity or individual described in this para-
19 graph with respect to the species;

20 “(E) an entity or individual that is in pos-
21 session of any prohibited wildlife species or pro-
22 hibited primate species that was born before the
23 date of the enactment of the Big Cat Public
24 Safety Act, with respect to a prohibited wildlife
25 species, or the Captive Primate Safety Act, with

1 respect to a prohibited primate species, if the
2 entity or individual—

3 “(i) not later than 180 days after the
4 date of enactment of the applicable Act,
5 registers each individual animal of each
6 prohibited wildlife species or prohibited
7 primate species, as applicable, possessed by
8 the entity or individual with the United
9 States Fish and Wildlife Service;

10 “(ii) does not breed, acquire, or sell
11 any prohibited wildlife species or prohibited
12 primate species, as applicable, after the
13 date of enactment of the applicable Act;
14 and

15 “(iii) does not allow direct contact be-
16 tween the public and any prohibited wild-
17 life species or prohibited primate species,
18 as applicable; or

19 “(F) a research facility that conducts re-
20 search that involves a prohibited primate spe-
21 cies that is registered with the Department of
22 Agriculture, if the research facility holds the
23 registration in good standing.”.

24 (c) REGULATIONS.—

1 (1) IN GENERAL.—Not later than 180 days
2 after the date of enactment of this Act, the Sec-
3 retary of the Interior shall promulgate regulations
4 implementing the amendments made by subsections
5 (a) and (b).

6 (2) ENFORCEABILITY.—The enforceability of
7 the amendments made by subsections (a) and (b)
8 shall not be affected by a failure of the Secretary of
9 the Interior to timely promulgate regulations under
10 paragraph (1).

11 (d) TECHNICAL AMENDMENTS.—

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

14 (A) in subsection (b)—

15 (i) in the second sentence, by striking
16 “subpenas” and inserting “subpoenas”;
17 and

18 (ii) in the fourth sentence, by striking
19 “subpena issued pursuant to this para-
20 graph” and inserting “subpoena issued
21 pursuant to this subsection”; and

22 (B) in subsection (e), in the first sentence,
23 by striking “Fishery Conservation and Manage-
24 ment Act of 1976” and inserting “Magnuson-

1 Stevens Fishery Conservation and Management
2 Act (16 U.S.C. 1801 et seq.)”.

3 (2) Section 6(b) of the Lacey Act Amendments
4 of 1981 (16 U.S.C. 3375(b)) is amended—

5 (A) in the matter preceding the proviso, by
6 striking “Attorney General;” and inserting “At-
7 torney General:”; and

8 (B) in the first sentence of the proviso, by
9 striking “subpena” and inserting “subpoena”.

10 (3) Section 8(a) of the Lacey Act Amendments
11 of 1981 (16 U.S.C. 3377(a)) is amended by striking
12 “Fishery Conservation and Management Act of
13 1976” and inserting “Magnuson-Stevens Fishery
14 Conservation and Management Act”.