



CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

September 3, 2014

S. 1463 **Captive Primate Safety Act**

*As ordered reported by the Senate Committee on Environment and Public Works
on July 30, 2014*

S. 1463 would amend the Lacey Act to prohibit interstate and foreign trade of nonhuman primates. The Lacey Act prohibits trade in wildlife, fish, and plants that have been illegally taken, transported, or sold. Because the Lacey Act is enforced under current law and the bill makes only slight modifications to that act, CBO estimates that implementing the bill would have no significant effect on the federal budget. The legislation could increase revenues and associated direct spending; therefore, pay-as-you-go procedures apply. However, CBO estimates that any such changes would be insignificant.

Because violators of the proposed prohibition on interstate and foreign trade of nonhuman primates would be subject to criminal and civil penalties, enacting S. 1463 could increase revenues from civil and criminal fines. Based on information obtained from the U.S. Fish and Wildlife Service (USFWS) about the relatively small number of violations likely to occur, CBO estimates that any such increase would be less than \$500,000 annually. Moreover, such changes would be fully offset by increases in direct spending from the Crime Victims Fund (where criminal fines are deposited) or the resource management account of the USFWS (where civil fines are deposited and used for rewards to informers and for other program costs).

S. 1463 contains no intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would not affect the budgets of state, local, or tribal governments.

S. 1463 would impose a private-sector mandate, as defined in UMRA, by expanding the definition of a prohibited wildlife species in the Lacey Act to include nonhuman primates. Several groups are exempted from the prohibition, including entities that are licensed or registered by a federal agency. The bill would amend that exemption so that only federally licensed entities that do not allow direct contact between a member of the public and a prohibited wildlife species would be eligible. The bill also would remove state-licensed wildlife rehabilitators from the list of entities exempted from the prohibition in the Lacey Act. Finally, the bill would authorize people to transport

nonhuman primates in some circumstances if they comply with the requirements for transport specified in the bill.

The bill would primarily affect dealers of nonhuman primates that sell to the public by prohibiting those entities from selling or transporting nonhuman primates across state lines. Based on information from private organizations, CBO estimates that the cost of the mandate on dealers—the net loss of income—would be small. The costs to others who would be affected by the prohibition also would be small. Consequently, the aggregate cost of the mandates in the bill would fall below the annual threshold established in UMRA for private-sector mandates (\$152 million in 2014, adjusted annually for inflation).

The CBO staff contacts for this estimate are Jeff LaFave (for federal costs) and Amy Petz (for the private-sector impact). The estimate was approved by Theresa Gullo, Deputy Assistant Director for Budget Analysis.