

Lacey Act Amendments in COMPETES Act of 2021 (H.R.4521) Threaten U.S. Pet Care Community

Summary:

Amendments to the Lacey Act included in the COMPETES Act of 2021 ([H.R.4521](#)) legislation would make changes to the Lacey Act's shipment clause that would negatively impact the broader pet care community.

These amendments are alarming for the pet care community because they:

- Expand the authority of U.S. Fish and Wildlife Service to prevent interstate transport between states in the continental U.S. of species listed as injurious.
- Create a whitelist of approved species that can be imported, where any animal not listed is treated as an injurious species by default and banned from importation into the U.S.
- Grant the Secretary of the Interior powers to use an "emergency declaration" to prohibit importation of a species found to be injurious to humans, agriculture, horticulture, forestry, wildlife, or wildlife resources for up to 3 years. The "emergency declaration" would be effective immediately on publication in the Federal Register, unless extended up to 60 days.

How we got here:

- MAR 9, 2021 - [S.626](#) was introduced with language that would amend the current Lacey Act. This bill is in Committee in the Senate and awaiting a hearing.
- JUN 8, 2021 - Senate passes [S.1260](#), the U.S. Innovation and Competition Act (USICA) with the intention of boosting US economic competitiveness with China.
- JAN 25, 2022 - House introduces COMPETES Act (H.R.4521) as their "response" to USICA and includes many unrelated amendments. Legislative language from S.626 impacting the Lacey Act was added to the COMPETES Act along with several other amendments creating a larger omnibus bill. The amendments did not have an opportunity for a full debate in different committees before being sent to the House floor for a vote and passage.
- FEB 4, 2022 - The House passes COMPETES Act along party lines, and the bill is now in the Senate where they will decide on whether to reconcile the two bills or take up the COMPETES Act.

Current status of COMPETES Act with amendments impacting Lacey:

The COMPETES Act is now in the Senate after passing the House on February 4, 2022. It remains unclear (as of February 8) whether the Senate will take up the House bill or opt to reconcile with their own bill that passed the Senate this past summer, USICA (S. 1260). Once the Senate makes its intentions clear, it will be much clearer where constituents in the pet care community can direct their emails, phone calls, and comments opposing amendments to the Lacey Act included in the COMPETES Act.

Pet Advocacy Network is preparing for either eventuality and will issue an urgent call to action as soon as it is appropriate. Please be on the lookout for our email alert which will go out to our full membership and respond to it immediately as time will be of the essence.

If you are not yet a member of Pet Advocacy Network and want to receive the action alert as well as be notified of updates on this and other legislation that could impact your pet business, please become a member today at petadvocacy.org/join or email us at info@petadvocacy.org.