

117TH CONGRESS
1ST SESSION

H. R. 405

To require the Secretary of the Interior to prohibit the use of lead ammunition on United States Fish and Wildlife Service lands, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 21, 2021

Mr. LIEU introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To require the Secretary of the Interior to prohibit the use of lead ammunition on United States Fish and Wildlife Service lands, 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 “Lead Endangers Ani-
5 mals Daily Act of 2021” or the “LEAD Act of 2021”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) In 1991, the United States Fish and Wild-
9 life Service required the use of nontoxic ammunition
10 for all waterfowl hunting.

1 (2) Research has shown that the presence of
2 lead in the environment poses a threat to human
3 and wildlife health.

4 (3) The Environmental Protection Agency has
5 determined that lead is toxic to both humans and
6 animals, and can negatively affect nearly every
7 organ and system in the human body, including the
8 heart, bones, intestines, kidneys, and reproductive
9 and nervous systems. Lead exposure interferes with
10 the development of the nervous system and is there-
11 fore particularly toxic to children, causing potentially
12 permanent learning and behavioral disorders.

13 (4) Lead is a potent neurotoxin, for which no
14 safe exposure level exists for humans. The use of
15 lead has been outlawed in and removed from paint,
16 gasoline, children's toys, and many other items to
17 protect human health and wildlife.

18 (5) Wildlife, including federally listed threat-
19 ened and endangered species, is at risk of lead toxi-
20 cosis through the ingestion of lead ammunition, ei-
21 ther directly by ingesting lead from spent ballistic
22 materials while foraging, or indirectly by scavenging
23 carcasses and viscera left by hunters. Lead may also
24 pollute soil and water around outdoor shooting
25 ranges.

1 (6) Lead ammunition also endangers human
2 food supplies. Dairy and beef cattle have developed
3 lead poisoning after feeding in areas where spent
4 lead ammunition has accumulated. Spent lead am-
5 munition can also contaminate crops, vegetation,
6 and waterways.

7 (7) Humans are at risk of lead toxicosis
8 through the consumption of game meat harvested
9 with lead ammunition.

10 (8) Alternatives to lead ammunition are readily
11 available, and studies have shown that nonlead am-
12 munition performs just as well as lead-based ammu-
13 nition.

14 (9) In January 2017, the outgoing Director of
15 the United States Fish and Wildlife Service issued
16 Director’s Order 219. In March 2017, the Principal
17 Deputy Director of the United States Fish and
18 Wildlife Service repealed this Order.

19 **SEC. 3. NONTOXIC AMMUNITION.**

20 (a) IN GENERAL.—Except as provided in subsection
21 (c), and not later than 1 year after enactment, the Sec-
22 retary, acting through the Director, shall issue final regu-
23 lations prohibiting the discharge of any firearm using am-
24 munition other than nonlead ammunition certified under
25 subsection (b) on all lands and waters under the jurisdic-

1 tion and control of the United States Fish and Wildlife
2 Service.

3 (b) CERTIFICATION.—The Director shall, for the pur-
4 poses of enforcing this section and in consultation with
5 State and Tribal governments, establish and annually up-
6 date a list of nonlead ammunition.

7 (c) EXCEPTIONS.—The prohibition under subsection
8 (a) shall not apply to—

9 (1) a Government official or agent carrying out
10 a statutory duty unrelated to the management of
11 wildlife;

12 (2) a State, local, Tribal, or Federal law en-
13 forcement officer or the agent of such officer when
14 carrying out a statutory duty; and

15 (3) an active member of the United States mili-
16 tary when carrying out official duties.

17 (d) PENALTIES.—A person that knowingly violates
18 subsection (a) may be assessed a civil penalty by the Sec-
19 retary of no more than \$500 for the first violation. A sec-
20 ond or subsequent violation shall be punishable by a fine
21 of not less than \$1,000 or more than \$5,000.

22 (e) DEFINITIONS.—In this section:

23 (1) AMMUNITION.—The term “ammunition”
24 means any bullet, ball, sabot, slug, buckshot, shot,

1 pellet, or other projectile that is expelled from a fire-
2 arm through a barrel by force.

3 (2) DIRECTOR.—The term “Director” means
4 the Director of the United States Fish and Wildlife
5 Service.

6 (3) EXPLOSIVE.—The term “explosive” has the
7 meaning given such term in section 844 of title 18,
8 United States Code.

9 (4) FIREARM.—The term “firearm” means any
10 weapon which expels ammunition by the action of an
11 explosive or compressed air.

12 (5) NONLEAD AMMUNITION.—The term
13 “nonlead ammunition” means ammunition in which
14 there is no lead content, excluding the presence of
15 trace amounts of lead.

16 (6) SECRETARY.—The term “Secretary” means
17 the Secretary of the Interior.

18 (7) TRACE AMOUNTS.—The term “trace
19 amounts” means one percent or less by weight of the
20 total weight of the ammunition.

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