



## CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

June 15, 2006

### **S. 1509**

### **Captive Primate Safety Act of 2005**

*As ordered reported by the Senate Committee on Environment and Public Works  
on May 23, 2006*

#### **SUMMARY**

S. 1509 would amend the Lacey Act to prohibit interstate and foreign trade of nonhuman primates. CBO estimates that implementing the bill would cost \$17 million over the 2007-2011 period, assuming appropriation of the necessary amounts. The bill could increase direct spending and revenue collections, but we estimate that any such changes would be insignificant.

S. 1509 contains no intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.

S. 1509 would impose a private-sector mandate as defined in UMRA on certain entities that handle nonhuman primates. Based on information from government and industry sources, CBO estimates that the direct costs of the mandate would fall below the annual threshold established in UMRA (\$128 million in 2006, adjusted for inflation).

#### **ESTIMATED COST TO THE FEDERAL GOVERNMENT**

The estimated budgetary impact of S. 1509 is shown in the following table. The costs of this legislation fall within budget function 300 (natural resources and environment).

	By Fiscal Year, in Millions of Dollars				
	2007	2008	2009	2010	2011
<b>CHANGES IN SPENDING SUBJECT TO APPROPRIATION</b>					
Estimated Authorization Level	2	3	4	4	4
Estimated Outlays	2	3	4	4	4

## **BASIS OF ESTIMATE**

S. 1509 would make it illegal to import, export, transport, sell, receive, acquire, or purchase nonhuman primates (e.g., monkeys and apes). Violators of the proposed prohibition on interstate and foreign trade of such animals would be subject to criminal and civil penalties.

Based on information provided by the U.S. Fish and Wildlife Service (USFWS), CBO estimates that implementing S. 1509 would cost about \$4 million annually, primarily for additional staff to conduct inspections and investigations to enforce the legislation. CBO expects that the agency would take about three years to reach that level of effort. Thus, we estimate that the added duties for USFWS would cost about \$17 million over the 2007-2011 period, assuming appropriation of the necessary amounts.

Enacting S. 1509 could increase revenues from civil and criminal fines. Based on information obtained from the 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).

## **ESTIMATED IMPACT ON STATE, LOCAL, AND TRIBAL GOVERNMENTS**

S. 1509 contains no intergovernmental mandates as defined in UMRA and would impose no costs on state, local, or tribal governments.

## **ESTIMATED IMPACT ON THE PRIVATE SECTOR**

S. 1509 would impose a private-sector mandate by prohibiting persons, with some exceptions, from importing, exporting, transporting, selling, receiving, acquiring, or purchasing in interstate or foreign commerce nonhuman primates (including lemurs, monkeys, and apes). The bill would exempt several groups from the prohibition, including: entities that are licensed or registered and inspected by a federal agency; a state college, university, or agency, or certain persons licensed by the state; other groups such as accredited wildlife sanctuaries that qualify under the bill's criteria; and individuals that have custody of nonhuman primates solely for the purpose of transporting them to an exempted individual.

The Endangered Species Act already prohibits the interstate sale and international trade of certain nonhuman primates that qualify under the act. In addition, the international trade of nonhuman primates is regulated under the Convention on International Trade in Endangered Species of Wild Fauna and Flora. The Convention, to which the United States is a party, requires all import, export, re-export, and introduction of species covered by the Convention to be authorized through a licensing system. This bill would expand the list of nonhuman primates for which commercial activities are regulated.

The cost of the mandate would be either the cost of getting licensed, registered, or accredited for those who are not required to do so under current law or the forgone net income from lost sales. According to government sources and information from wildlife sanctuaries, the bill would not cause significant new activity in the demand for licenses or accreditations. Those sources estimate that fewer than 20 wildlife sanctuaries would have to be accredited in order for them to continue to harbor nonhuman primates. CBO expects that the incremental costs to the entities that would have to get accredited, licensed, or registered in order to deal with nonhuman primates would not be substantial. Also, under the bill, breeders currently licensed by the United States Department of Agriculture would not be able to obtain a license to breed and sell nonhuman primates. According to several industry observers, the forgone net income from lost sales would not be substantial. Consequently, CBO estimates that the cost to the private sector of complying with the mandate would fall below the annual threshold established in UMRA (\$128 million in 2006, adjusted for inflation).

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