

# 2022 National Legal Research Teach-In Kit

Research Instruction & Patron Services Special Interest Section  
American Association of Law Libraries

## Statutes & Legislation Research Assignment

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This exercise was used in an upper-level Advanced Legal Research class as an assessment of students' ability to locate a statute, use the statutory credits to identify the enacting legislation, and locate relevant legislative history materials. The exercise is intended to guide students through this process using a series of short answer questions. This was a graded, take-home assignment, but the exercise could also be modified for use as an in-class, formative assessment. The materials include an answer key that contains correct answers for each question. The last two legislative history questions are somewhat open-ended and could be answered using different legislative history sources.

## **Assignment 2: Statutes & Legislation**

**Your law firm represents Moe Exotic, the self-proclaimed “Leopard Prince.” Moe runs an “off-the-radar” zoo in his backyard in Forty Fort, Pennsylvania. Moe has always wanted to own a leopon, a rare half-leopard, half-lion hybrid. Moe was excited to find a breeder in Malaysia who listed a litter of leopon cubs for sale on the dark web. Moe comes to your firm seeking advice on whether he can import a leopon into the United States. Provide your answers the following questions in correct Bluebook citation format.**

1. Brainstorm search terms. What key words and/or phrases will you use to search for a relevant statute? (1 point)
  
2. Find the section of the United States Code that defines which big cats are illegal to import.
  - a. Describe how you found it, including any search strings. (1 point)
  
  - b. Provide the statutory citation and the text of the relevant definition (1 point)
  
3. Check the statutory credits of the U.S. Code section to find the act (slip/session law) that added the relevant definition. Cite the act pursuant to the Bluebook. (1 point)
  
4. What was the bill number of the act? (1 point)
  
5. Were there any related or companion bills? (1 point)
  
6. Why did Congress enact this legislation? Cite any relevant legislative history sources in support of your answer. (2 points)
  
7. Did the term “prohibited wildlife species” change during the legislative process? How and why? Cite any relevant legislative history sources in support of your answer. (2 points)

## Assignment 2: Statutes & Legislation

Your law firm represents Moe Exotic, the self-proclaimed “Leopard Prince.” Moe runs an “off-the-radar” zoo in his backyard in Forty Fort, Pennsylvania. Moe has always wanted to own a leopon, a rare half-leopard, half-lion hybrid. Moe was excited to find a breeder in Malaysia who listed a litter of leopon cubs for sale on the dark web. Moe comes to your firm seeking advice on whether he can import a leopon into the United States. Provide your answers the following questions in correct Bluebook citation format.

1. Brainstorm search terms. What key words and/or phrases will you use to search for a relevant statute? (1 point)

There is no *per se* wrong answer to this question, but potential answers include:

- Animals
- Exotic animals
- Wildlife
- Big cat
- Lion
- Leopard
- Leopon
- Hybrid
- Import/importing/importation
- Malaysia
- Zoo
- Dark web

2. Find the section of the United States Code that defines which big cats are illegal to import.
  - a. Describe how you found it, including any search strings. (1 point)

There is no *per se* wrong answer to this question, but students should describe at least one search string or other approach. Potential answers include:

- I looked up “lion” in the United States Code Annotated Index.
- I searched the U.S. Code Annotated in Westlaw for *lion /s leopard /s hybrid*.

- b. Provide the statutory citation and the text of the relevant definition (1 point)

“The term ‘prohibited wildlife species’ means any live species of lion, tiger, leopard, cheetah, jaguar, or cougar or any hybrid of such species.” 16 U.S.C. § 3371(g).

3. Check the statutory credits of the U.S. Code section to find the act (slip/session law) that added the relevant definition. Cite the act pursuant to the Bluebook. (1 points)

**Captive Wildlife Safety Act, Pub. L. No. 108-191, 117 Stat. 2871 (2003).**

4. What was the bill number of the act? (1 point)

**Captive Wildlife Safety Act, H.R. 1006, 108<sup>th</sup> Cong. (2003).**  
<https://www.congress.gov/bill/108th-congress/house-bill/1006/>

5. Were there any related or companion bills? (1 point)

**Captive Wildlife Safety Act, S. 269, 108<sup>th</sup> Cong. (2003).**  
<https://www.congress.gov/bill/108th-congress/senate-bill/269>

6. Why did Congress enact this legislation? Cite any relevant legislative history sources in support of your answer. (2 points)

**There is some flexibility in which source(s) students cite for this answer. Potential sources include the Congressional Record and two committee reports, [H.R. Rep. No. 108-269 \(2003\)](#) and [S. Rep. No. 108-172 \(2003\)](#).**

**Sample answer:**

- **Congress enacted this legislation to address what they considered a growing problem of [unqualified] people wanting to buy exotic cats as pets and being unprepared and unable to care for the animals in the way they require as they grow. See 149 Cong. Rec. H11,444-45 (daily ed. Nov. 18, 2003).**
- **Specifically, co-sponsor Gilchrest noted that this leads to these animals ending up living in horrible conditions and being abandoned, sold, or killed. Id. at H11,444 (statement of Rep. Wayne Gilchrest).**
- **Other supporters of the bill also cited the occurrence of violent attacks by such animals and emphasized the need to prevent people who are not trained and properly equipped from being able to purchase these animals. Id. at H11,445 (statement of Rep. Howard McKeon).**
- **A report from the Committee on Resources accompanying the bill also provided some background and highlighted the extent of the problem with exotic cats: it noted that there were an estimated 12,000 tigers held in captivity in the United States, and only 500 of those were maintained by zoological institutions. H.R. Rep. No. 108-269, at 3 (2003). The report further noted the difficulty of caring for exotic animals privately, the lack of qualified veterinarians and other resources, the difficulty finding safe places to take the animals when they grow too large to keep as pets, and the unfortunate result that most of these animals end up “abandoned, killed, or harvested for their pelts and meat.” Id.**

7. Did the term “prohibited wildlife species” change during the legislative process? How and why? Cite any relevant legislative history sources in support of your answer. (2 points)

**There is some flexibility in which source(s) students cite for this answer. Potential sources include the Congressional Record, two committee reports, [H.R. Rep. No.](#)**

**[108-269 \(2003\)](#)** and **[S. Rep. No. 108-172 \(2003\)](#)**, and a hearing that includes the testimony of Matt Hogan of the U.S. Fish and Wildlife Service.

**[H.R. Rep. No. 108-269 \(2003\)](#)**

Congressman Wayne T. Gilchrest (R-MD) offered an amendment in the nature of a substitute that added hybrids of lions and tigers to the list of prohibited wildlife species and established criteria that a person must have expertise, knowledge, experience and is licensed and inspected by the Animal and Plant Health Inspection Service with respect to the care of large cats to obtain an exemption. The amendment was adopted by voice vote. The bill, as amended, was then ordered favorably reported to the House of Representatives by voice vote.

**[S. Rep. No. 108-172 \(2003\)](#)**

For purposes of this section, "prohibited wildlife species" is meant to be inclusive. The large cats prohibited include eight species in five genera: lion (*Panthera leo*), tiger (*Panthera tigris*), leopard (*Panther pardus*, and including the snow leopard (*Uncia uncia*) and the clouded leopard (*Neofelis nebulosa*)), cheetah (*Acinonyx jubatus*), jaguar (*Panthera onca*), and cougar (*Felis concolor*). Hybrids resulting from the breeding of any combination of any of the prohibited wildlife species, as defined in this Section, are also included.

Testimony/Statement of Matt Hogan. Deputy Director, U.S. Fish and Wildlife Service. (June 12, 2003). Serial No. 108-25. Available at:

- <https://heinonline.org/HOL/P?h=hein.leghis/capwilsa0001&i=109>
- [2003 WL 21363256](#)

The bill's definition of 'prohibited wildlife species' would, in and of itself, limit the extent to which this legislation would control big cat pet trade because it does not cover all species that are part of the problem. For example, H.R. 1006 does not include lynx, serval, caracal, clouded leopard, or snow leopards in that definition. Nor does it regulate hybrids, mixed species that are of little concern from a conservation standpoint but that account for an increasing percentage of the big cats bred, bought, and sold as pets in this country.