Factsheet

Bear Protection Act (H.R. 2264/S. 3196)

H.R. 2264 is led by Reps. Ted Lieu, Rodney Davis, Ann Kuster, & Glenn Thompson; S. 3196 is led by Sens. John Kennedy & Cory Booker.

What Does the Bear Protection Act Do?

To combat wildlife trafficking, the Bear Protection Act seeks to protect bears from the bear bile trade by cracking down on the killing of bears for their gallbladders and other internal organs. The bill prohibits importing/exporting bear viscera, and the sale, barter, offering for sale or barter, purchasing, possessing, transporting, delivering, or receiving of bear viscera (gall bladders) in interstate or foreign commerce. It doesn't restrict legal hunting.

Why are Bears Killed for their Gallbladders?

Poachers kill bears, and even cubs, because the gallbladders are so valuable. A single gallbladder can exceed $1,000, which motivates commercial killing on a scale that causes immense cruelty and threatens bear populations. The gallbladders are used in traditional Chinese medicine, and the trade is heavily centralized in China and South Korea where bears are kept crammed into concrete pits or small cages with tubes directly inserted into their gallbladder to obtain bile until the bear eventually dies from infection and agony.

Why Support the Bear Protection Act?

Poaching Bears for their Gallbladders is Wasteful and Cruel

Starting in the late 1980’s, hunters and park rangers in the U.S. began finding dead bears missing only gallbladders, leading to investigations that have uncovered evidence of large commercial organizations dealing in poaching and smuggling of bear parts. The methods poachers use to kill bears are horrific: According to a police officer who videotaped a bear cub repeatedly stabbed after its mother’s gallbladder had been removed, “the cruelty was beyond any of our expectations. We expected quick clean kills...but they relished in the killing.”

Wildlife Traffickers are Threatening Bear Populations

Poaching bears for their gallbladders is linked to organized criminal enterprises because it’s lucrative, similar to poaching of elephants and rhinos, and this has put bear populations at risk globally. As Asian bear populations have dwindled, poachers began targeting American bears where the population was still healthy. Gallbladders are sold in the U.S. and exported, and gallbladders from Asian bears are also smuggled into the U.S. Bears are especially vulnerable to poaching because they reproduce slowly; females can’t reproduce until the age of 5 and have 1 or 2 cubs every other year. Polar bears, South American bears, grizzly bears, and others are also at risk of poaching for their gallbladders.

The Current Patchwork of Laws is Insufficient

While 40 states have laws on the books to address this trade, these vary widely state-to-state. A trafficker in Colorado may face up to three years in prison and a $100,000 fine, while a trafficker in Kentucky may receive only a $100 fine. Federal sentencing guidelines dictate that the market value of the item must be at least $350 for a prosecution under the federal Lacey Act, but the courts attribute the value of a gallbladder to only $280. Fortunately, countries such as Vietnam have turned away from this cruelty and are working to end the practice. Ultimately, the trade must be prohibited entirely in order to stop poaching of American bear gallbladders and stop contributing to this cruelty globally.