

118TH CONGRESS
1ST SESSION

S. 502

To amend the Animal Health Protection Act with respect to the importation of live dogs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 16, 2023

Mr. GRASSLEY (for himself, Ms. SMITH, Mr. RISCH, Mr. WARNOCK, Mr. MARSHALL, and Mrs. GILLIBRAND) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To amend the Animal Health Protection Act with respect to the importation of live dogs, 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 “Healthy Dog Importa-
5 tion Act”.

6 **SEC. 2. IMPORTATION OF LIVE DOGS.**

7 (a) IN GENERAL.—The Animal Health Protection
8 Act is amended by inserting after section 10404 (7 U.S.C.
9 8303) the following:

1 **“SEC. 10404A. IMPORTATION OF LIVE DOGS.**

2 “(a) DEFINITIONS.—In this section:

3 “(1) IMPORTER.—The term ‘importer’ means
4 any person who transports or causes the transpor-
5 tation of a dog into the United States from a foreign
6 country.

7 “(2) TRANSFER.—The term ‘transfer’ means a
8 change of ownership or control of an imported dog
9 to another person, including by sale, adoption, ex-
10 change, or donation.

11 “(b) REQUIREMENTS.—

12 “(1) IN GENERAL.—Except as provided in para-
13 graph (3), no person shall import a dog into the
14 United States unless, as determined by the Sec-
15 retary, the dog—

16 “(A) is in good health;

17 “(B) has received all necessary vaccina-
18 tions and internal and external parasite treat-
19 ment and demonstrated negative test results, as
20 required by the Secretary and evidenced by a
21 certificate that—

22 “(i) is issued by a licensed veteri-
23 narian accredited by a competent veteri-
24 nary authority recognized by the Secretary;
25 and

1 “(ii) is endorsed by that authority in
2 a manner representing that the veteri-
3 narian issuing the certificate was author-
4 ized to do so; and

5 “(C) is officially identified by a permanent
6 method approved by the Secretary.

7 “(2) TRANSFER.—Except as provided in para-
8 graph (3), no person shall import or cause the trans-
9 portation of a dog into the United States from a for-
10 eign country for the purpose of transfer unless, as
11 determined by the Secretary, the dog—

12 “(A) meets the criteria described in para-
13 graph (1);

14 “(B) is at least 6 months old; and

15 “(C) is accompanied by an import permit
16 issued by the Secretary under this Act.

17 “(3) EXCEPTIONS.—The Secretary, by regula-
18 tion, shall provide an exception to any requirement
19 under this Act in any case in which a dog is im-
20 ported for purposes of transfer for—

21 “(A) research purposes;

22 “(B) veterinary treatment, paid for by the
23 importer, subject to the condition that the
24 dog—

1 “(i) is taken directly to a veterinary
2 facility for treatment with appropriate
3 quarantine until the dog meets the criteria
4 described in paragraph (1); and

5 “(ii) is then exported to its country of
6 origin; or

7 “(C) in the case of a dog that is less than
8 6 months old, lawful importation into the State
9 of Hawaii in compliance with the regulations of
10 the State of Hawaii and the other requirements
11 of this section, if the dog is not transported out
12 of the State of Hawaii for transfer at less than
13 6 months of age.

14 “(c) IMPLEMENTATION AND REGULATIONS.—The
15 Secretary, the Secretary of Health and Human Services,
16 the Secretary of Commerce, and the Secretary of Home-
17 land Security shall—

18 “(1) promulgate such regulations as the Secre-
19 taries determine to be necessary to implement and
20 enforce this section;

21 “(2)(A) facilitate electronic submission of all re-
22 quired documentation prior to the arrival of a dog
23 into the United States; and

24 “(B) make the information in the documenta-
25 tion submitted under subparagraph (A) available to

1 the Secretary, the Secretary of Health and Human
2 Services, the Secretary of Commerce, and the Sec-
3 retary of Homeland Security, as applicable, for
4 verification that all applicable importation require-
5 ments are met; and

6 “(3) determine and establish such fees for the
7 issuance of permits with respect to dog importation
8 as are necessary to fund the implementation and en-
9 forcement of this section.

10 “(d) RULE OF CONSTRUCTION.—Nothing in sub-
11 section (c)(3) limits the availability of funding made avail-
12 able under section 10417 to carry out this section.

13 “(e) ENFORCEMENT.—

14 “(1) AUTHORITY.—The Secretary shall have
15 the authority granted under section 10414 to en-
16 force this section.

17 “(2) PENALTIES.—An importer that fails to
18 comply with this section shall—

19 “(A) be subject to penalties under section
20 10414; and

21 “(B) if the importer is a dealer, provide, as
22 the Secretary may determine, at the expense of
23 the importer, for—

24 “(i) the care (including appropriate
25 veterinary care), forfeiture, quarantine,

1 and removal from the United States of
2 each applicable dog; and

3 “(ii) the return of each applicable dog
4 to its place of export, with due care for the
5 welfare of each applicable dog.”.

6 (b) CONFORMING AMENDMENT.—Section 18 of the
7 Animal Welfare Act (7 U.S.C. 2148) is repealed.

8 **SEC. 3. TRANSPORTATION.**

9 (a) DEFINITION OF TRANSPORTER.—Section 2 of the
10 Animal Welfare Act (7 U.S.C. 2132) is amended—

11 (1) in subsection (c)—

12 (A) in paragraph (2), by striking “para-
13 graph (1)” and inserting “subparagraph (A)”;
14 and

15 (B) by redesignating paragraphs (1) and
16 (2) as subparagraphs (A) and (B), respectively,
17 and indenting appropriately;

18 (2) in each of subsections (a) through (o), by
19 inserting a subsection heading, the text of which is
20 comprised of the term defined in the subsection;

21 (3) by redesignating subsections (a) through (o)
22 as paragraphs (12), (15), (3), (17), (14), (6), (1),
23 (7), (11), (2), (8), (9), (13), (4), (10), respectively,
24 and indenting appropriately;

1 (4) by inserting after paragraph (4) (as so des-
2 ignated) the following:

3 “(5) COMPENSATION.—The term ‘compensa-
4 tion’ means any act, consideration, or thing of value
5 received by a person directly, including cash or
6 noncash benefits, cost-avoidance, obtaining positive
7 or avoiding negative publicity, an exchange of serv-
8 ices, or maintaining a license issued under any local,
9 State, or Federal government authority.”;

10 (5) by inserting after paragraph (15) (as so
11 designated) the following:

12 “(16) SELL; RESELL.—The term ‘sell’ or ‘re-
13 sell’ means to transfer ownership or control of an
14 animal, including by sale, adoption, exchange, or do-
15 nation.”; and

16 (6) by adding at the end the following:

17 “(18) TRANSPORTER.—The term ‘transporter’
18 means any person, department, agency, or instru-
19 mentality of the United States or of any State or
20 local government, other than a carrier or inter-
21 mediate handler, who—

22 “(A) receives an animal from any im-
23 porter, dealer, research facility, exhibitor, oper-
24 ator of an auction sale, or department, agency,

1 or instrumentality of the United States or of
2 any State or local government; and

3 “(B) receives compensation for moving
4 that animal in commerce.”.

5 (b) HUMANE STANDARDS.—Section 13 of the Animal
6 Welfare Act (7 U.S.C. 2143) is amended—

7 (1) in subsection (a)(4)—

8 (A) in the first sentence, by striking “air
9 carriers,” and inserting “transporters, air car-
10 riers,”; and

11 (B) by adding at the end the following:
12 “The Secretary shall provide, by regulation,
13 that each transporter, intermediate handler, or
14 carrier receiving a certificate of veterinary in-
15 spection required under this section shall sub-
16 mit a copy of the certificate to the Secretary,
17 who shall record the information in a central-
18 ized, publicly available database and share the
19 information with the appropriate State veteri-
20 narians.”;

21 (2) by redesignating subsections (g) and (h) as
22 subsections (h) and (i), respectively;

23 (3) in the second subsection (f) (relating to cer-
24 tificates of inspection required for delivery of an ani-

1 mal), by striking “(f) No dogs or cats” and inserting
2 the following:

3 “(g) No dogs or cats”; and

4 (4) in subsection (g) (as so redesignated)—

5 (A) in the first sentence—

6 (i) by inserting “importer,” before
7 “dealer,”; and

8 (ii) by inserting “, transporter,” after
9 “intermediate handler”; and

10 (B) in the second sentence—

11 (i) by inserting “, the transporters,”
12 after “the intermediate handlers”; and

13 (ii) by striking “section 10 of this
14 Act” and inserting “subsection (a)(4)”.

15 **SEC. 4. REGULATIONS.**

16 (a) IN GENERAL.—Not later than 18 months after
17 the date of enactment of this Act, the Secretary of Agri-
18 culture shall promulgate final regulations to implement
19 the amendments made by this Act, including with respect
20 to—

21 (1) the verification on arrival in the United
22 States of each dog being imported for transfer into
23 the United States from a foreign country that the
24 dog meets all applicable importation requirements;
25 and

1 (2) the denial of entry into the United States
2 of any dog that fails to meet those requirements.

3 (b) TRANSITION PERIOD.—Until the date on which
4 final regulations are issued under subsection (a), the im-
5 portation of live dogs shall be regulated in accordance with
6 the regulations promulgated under section 18 of the Ani-
7 mal Welfare Act (7 U.S.C. 2148) (as in effect on the day
8 before the date of enactment of this Act), but only to the
9 extent that those regulations are not in conflict with sec-
10 tion 10404A of the Animal Health Protection Act.

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