

117TH CONGRESS
1ST SESSION

S. 2597

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

AUGUST 4, 2021

Mr. GRASSLEY (for himself and Ms. SMITH) 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 (7 U.S.C. 8301 et seq.) is amended by inserting after
9 section 10404 (7 U.S.C. 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 demonstrated negative test results, as
19 required by the Secretary and evidenced by a
20 certificate that—

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

25 “(ii) is endorsed by that authority in
26 a manner representing that the veteri-

1 narian issuing the certificate was author-
2 ized to do so; and

3 “(C) is officially identified by a permanent
4 method approved by the Secretary.

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

10 “(A) meets the criteria described in para-
11 graph (1);

12 “(B) is at least 6 months old; and

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

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

19 “(A) research purposes;

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

23 “(i) is taken directly to a veterinary
24 facility for treatment with appropriate

1 quarantine until the dog meets the criteria
2 described in paragraph (1); and

3 “(ii) is then exported to its country of
4 origin; or

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

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

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

19 “(2)(A) facilitate electronic submission of all re-
20 quired documentation; and

21 “(B) make the information in the documenta-
22 tion submitted under subparagraph (A) available to
23 the Secretary, the Secretary of Health and Human
24 Services, the Secretary of Commerce, and the Sec-
25 retary of Homeland Security, as applicable, for

1 verification on arrival of the dog in the United
2 States; and

3 “(3) determine and establish such fees for the
4 issuance of permits and the carrying out of inspec-
5 tions with respect to dog importation as are nec-
6 essary to fund the implementation and enforcement
7 of this section.

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

11 “(e) ENFORCEMENT.—

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

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

17 “(A) be subject to penalties under section
18 10414; and

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

22 “(i) the care (including appropriate
23 veterinary care), forfeiture, quarantine,
24 and removal from the United States of
25 each applicable dog; and

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

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

6 **SEC. 3. TRANSPORTATION.**

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

9 (1) in subsection (c)—

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

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

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

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

23 (4) by inserting after paragraph (4) (as so des-
 24 ignated) the following:

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

8 (5) by inserting after paragraph (15) (as so
 9 designated) the following:

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

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

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

20 “(A) receives an animal from any im-
 21 porter, dealer, research facility, exhibitor, oper-
 22 ator of an auction sale, or department, agency,
 23 or instrumentality of the United States or of
 24 any State or local government; and

1 “(B) receives compensation for moving
2 that animal in commerce.”.

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

5 (1) in subsection (a)(4)—

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

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

17 (2) by redesignating subsections (g) and (h) as
18 subsections (h) and (i), respectively;

19 (3) in the second subsection (f) (relating to cer-
20 tificates of inspection required for delivery of an ani-
21 mal), by striking “(f) No dogs or cats” and inserting
22 the following:

23 “(g) No dogs or cats”; and

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

25 (A) in the first sentence—

- 1 (i) by inserting “importer,” before
 2 “dealer,”; and
 3 (ii) by inserting “, transporter,” after
 4 “intermediate handler”; and
 5 (B) in the second sentence—
 6 (i) by inserting “, the transporters,”
 7 after “the intermediate handlers”; and
 8 (ii) by striking “section 10 of this
 9 Act” and inserting “subsection (a)(4)”.

10 **SEC. 4. REGULATIONS.**

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

16 (1) the verification on arrival in the United
 17 States of each dog being imported into the United
 18 States from a foreign country that the dog meets all
 19 applicable importation requirements; and

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

22 (b) TRANSITION PERIOD.—Until the date on which
 23 final regulations are issued under subsection (a), the im-
 24 portation of live dogs shall be regulated in accordance with
 25 the regulations promulgated under section 18 of the Ani-

1 mal Welfare Act (7 U.S.C. 2148) (as in effect on the day
2 before the date of enactment of this Act), but only to the
3 extent that those regulations are not in conflict with sec-
4 tion 10404A of the Animal Health Protection Act.

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