

107TH CONGRESS
1ST SESSION

H. R. 3058

To amend the Animal Welfare Act to improve the treatment of certain animals, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 5, 2001

Mr. WHITFIELD (for himself, Mr. FARR of California, Mr. GEORGE MILLER of California, Mr. CARDIN, Ms. BALDWIN, Mr. PALLONE, Mr. KUCINICH, Mr. STARK, Mr. HORN, Mr. GREEN of Texas, Mr. McDERMOTT, Mr. DEFAZIO, Mr. COSTELLO, Ms. SOLIS, Ms. JACKSON-LEE of Texas, Mrs. DAVIS of California, Mr. MORAN of Virginia, Ms. SCHAKOWSKY, Mr. BONIOR, Mr. DOYLE, Mr. WAXMAN, Mr. SHAYS, Ms. RIVERS, Mr. KOLBE, Mr. TRAFICANT, Mr. GORDON, Ms. KILPATRICK, Mrs. MORELLA, Mr. GILMAN, Mr. EVANS, Mr. BALDACCI, Mr. HINCHEY, Ms. WOOLSEY, Mr. MALONEY of Connecticut, Mr. DEUTSCH, Mr. SIMMONS, Mr. FRANK, Mr. FILNER, Ms. BROWN of Florida, Mr. UDALL of Colorado, Ms. ROYBAL-ALLARD, Mrs. BONO, Mr. BLUMENAUER, Mr. TAYLOR of Mississippi, Mr. GONZALEZ, Mr. SABO, Mrs. NAPOLITANO, Mrs. ROUKEMA, Mr. JONES of North Carolina, Mr. LOBIONDO, Mr. TANCREDO, Mr. LEACH, Mr. DICKS, Mr. CLYBURN, Mrs. JOHNSON of Connecticut, Mr. GALLEGLY, Mr. INSLEE, Mr. LIPINSKI, Mr. KILDEE, and Mrs. LOWEY) introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To amend the Animal Welfare Act to improve the treatment of certain animals, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Puppy Protection
3 Act”.

4 **SEC. 2. FINDINGS.**

5 Congress finds the following:

6 (1) Puppies in the United States are mass-pro-
7 duced at breeding facilities known as “puppy mills”.

8 (2) Those puppies are typically sold at eight
9 weeks of age to retail operations or to live animal
10 brokers that subsequently sell the puppies to retail
11 operations.

12 (3) There are more than 3,000 commercial dog
13 breeding operations in the United States.

14 (4) Problems documented at puppy mills
15 include—

16 (A) overcrowding in cages;

17 (B) lack of protection from the elements;

18 (C) infestation of food by rodents or in-
19 sects;

20 (D) overbreeding;

21 (E) inbreeding;

22 (F) lack of proper veterinary care;

23 (G) lack of socialization with humans; and

24 (H) the killing of unwanted animals.

25 (5) Lack of early socialization seriously affects
26 a dog’s ability to function as part of a human family

1 and contributes to behavior problems such as ag-
2 gression.

3 (6) Factors contributing to the declining health
4 of female dogs and litters include—

5 (A) the breeding of female dogs during the
6 first estrus cycle when the female dogs are not
7 fully mature; and

8 (B) the breeding of female dogs each
9 estrus cycle without sufficient rest between lit-
10 ters.

11 (7) The Department of Agriculture is respon-
12 sible for inspecting those facilities using a set of reg-
13 ulations for care and treatment of the puppies and
14 dogs promulgated under the Animal Welfare Act (7
15 U.S.C. 2131 et seq.).

16 (8) Those facilities continue to operate despite
17 repeated violations of the regulations cited by De-
18 partment of Agriculture inspectors.

19 (9) Consumers purchase from retail operations
20 puppies that are believed to be healthy and geneti-
21 cally sound, but that—

22 (A) suffer from an array of physical and
23 behavioral problems after purchase; or

1 (B) harbor genetic diseases and defi-
2 ciencies that may not surface until several years
3 later.

4 **SEC. 3. SOCIALIZATION PLAN; BREEDING RESTRICTIONS.**

5 Section 13(a)(2) of the Animal Welfare Act (7 U.S.C.
6 2143(a)(2)) is amended—

7 (1) in subparagraph (A), by striking “and” at
8 the end;

9 (2) in subparagraph (B), by striking the period
10 at the end and inserting a semicolon; and

11 (3) by adding at the end the following:

12 “(C) for the development of an engineering
13 standard, including a written plan of activities,
14 based on the recommendations of animal wel-
15 fare and behavior experts, for the socialization
16 of dogs to facilitate contact with other dogs and
17 people; and

18 “(D) for addressing the initiation and fre-
19 quency of breeding female dogs so that a female
20 dog is not bred—

21 “(i) before the female dog has reached
22 at least one year of age; and

23 “(ii) more frequently than three times
24 in an 24-month period.”.

1 **SEC. 4. REVOCATION OF LICENSE.**

2 Section 19 of the Animal Welfare Act (7 U.S.C.
3 2149) is amended—

4 (1) by striking “SEC. 19. (a) If the Secretary”
5 and inserting the following:

6 **“SEC. 19. SUSPENSION OR REVOCATION OF LICENSE, CIVIL**
7 **PENALTIES, JUDICIAL REVIEW, AND CRIMI-**
8 **NAL PENALTIES.**

9 “(a) SUSPENSION OR REVOCATION OF LICENSE.—

10 “(1) IN GENERAL.—If the Secretary”;

11 (2) in subsection (a)—

12 (A) in paragraph (1) (as designated by
13 paragraph (1)), by striking “if such violation”
14 and all that follows and inserting “if the Sec-
15 retary determines that 1 or more violations
16 have occurred.”; and

17 (B) by adding at the end the following:

18 “(2) MANDATORY REVOCATION.—If any person
19 licensed as a dealer, exhibitor, or operator of an auc-
20 tion sale subject to section 12, is found, after notice
21 and opportunity for hearing, to have violated any of
22 the rules, regulations, or standards governing the
23 humane handling, transportation, veterinary care,
24 housing, breeding, socialization, feeding, watering, or
25 other humane treatment of animals under section 12
26 or 13 on three or more separate occasions within

1 any eight-year period, the Secretary, on finding a
2 third violation, shall revoke the license of the person
3 unless the Secretary makes a written finding that
4 the violations were minor and inadvertent, that the
5 violations did not pose a threat to the animals, or
6 that revocation is inappropriate for other good
7 cause.”;

8 (3) in subsection (b), by striking “(b) Any deal-
9 er” and inserting “(b) CIVIL PENALTIES.—Any
10 dealer”;

11 (4) in subsection (c), by striking “(c) Any deal-
12 er” and inserting “(c) JUDICIAL REVIEW.—Any
13 dealer”; and

14 (5) in subsection (d), by striking “(d) Any deal-
15 er” and inserting “(d) CRIMINAL PENALTIES.—Any
16 dealer”.

17 **SEC. 5. REGULATIONS.**

18 Not later than one year after the date of the enact-
19 ment of this Act, the Secretary of Agriculture shall pro-
20 mulgate such regulations as are necessary to carry out the
21 amendments made by this Act, including development of
22 the standards required by the amendment made by section
23 3.

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