

107TH CONGRESS
1ST SESSION

S. 1478

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

IN THE SENATE OF THE UNITED STATES

OCTOBER 1, 2001

Mr. SANTORUM (for himself, Mr. DURBIN, Mr. WARNER, Mr. SMITH of New Hampshire, Mr. LEVIN, Mr. MILLER, Mr. LIEBERMAN, Mr. BREAUX, and Mr. KENNEDY) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Puppy Protection Act
5 of 2001”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (1) puppies in the United States are mass-pro-
9 duced at breeding facilities known as “puppy mills”;

1 (2) those puppies are typically sold at 8 weeks
2 of age to retail operations or to live animal brokers
3 that subsequently sell the puppies to retail oper-
4 ations;

5 (3) there are more than 3,000 commercial dog
6 breeding operations in the United States;

7 (4) problems documented at puppy mills
8 include—

9 (A) overcrowding in cages;

10 (B) lack of protection from the elements;

11 (C) infestation of food by rodents or in-
12 sects;

13 (D) overbreeding;

14 (E) inbreeding;

15 (F) lack of proper veterinary care;

16 (G) lack of socialization with humans; and

17 (H) the killing of unwanted animals;

18 (5) lack of early socialization seriously affects a
19 dog's ability to function as part of a human family
20 and contributes to behavior problems such as ag-
21 gression;

22 (6) factors contributing to the declining health
23 of female dogs and litters include—

1 (A) the breeding of female dogs during the
2 first estrus cycle when the female dogs are not
3 fully mature; and

4 (B) the breeding of female dogs each
5 estrus cycle without sufficient rest between lit-
6 ters;

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

12 (8) those facilities continue to operate despite
13 repeated violations of the regulations cited by De-
14 partment of Agriculture inspectors; and

15 (9) consumers purchase from retail operations
16 puppies that are believed to be healthy and geneti-
17 cally sound, but that—

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

20 (B) harbor genetic diseases and defi-
21 ciencies that may not surface until several years
22 later.

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

24 Section 13(a)(2) of the Animal Welfare Act (7 U.S.C.
25 2143(a)(2)) is amended—

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

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

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

6 “(C) for the development of an engineering
7 standard, including a written plan of activities,
8 based on the recommendations of animal wel-
9 fare and behavior experts, for the socialization
10 of dogs to facilitate contact with other dogs and
11 people; and

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

15 “(i) before the female dog has reached
16 at least 1 year of age; and

17 “(ii) more frequently than 3 times in
18 any 24-month period.”.

19 **SEC. 4. REVOCATION OF LICENSE.**

20 Section 19 of the Animal Welfare Act (7 U.S.C.
21 2149) is amended—

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

1 **“SEC. 19. SUSPENSION OR REVOCATION OF LICENSE, CIVIL**
2 **PENALTIES, JUDICIAL REVIEW, AND CRIMI-**
3 **NAL PENALTIES.**

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

5 “(1) IN GENERAL.—If the Secretary”;

6 (2) in subsection (a)—

7 (A) in paragraph (1) (as designated by
8 paragraph (1)), by striking “if such violation”
9 and all that follows and inserting “if the Sec-
10 retary determines that 1 or more violations
11 have occurred.”; and

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

13 “(2) MANDATORY REVOCATION.—If any person
14 licensed as a dealer, exhibitor, or operator of an auc-
15 tion sale subject to section 12, is found, after notice
16 and opportunity for hearing, to have violated any of
17 the rules, regulations, or standards governing the
18 humane handling, transportation, veterinary care,
19 housing, breeding, socialization, feeding, watering, or
20 other humane treatment of animals under section 12
21 or 13 on 3 or more separate occasions within any 8-
22 year period, the Secretary, on finding a third viola-
23 tion, shall revoke the license of the person unless the
24 Secretary makes a written finding that the violations
25 were minor and inadvertent, that the violations did

1 not pose a threat to the animals, or that revocation
2 is inappropriate for other good cause.”;

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

6 (4) in subsection (c), by striking “(c) Any deal-
7 er” and inserting “(c) JUDICIAL REVIEW.—Any
8 dealer”; and

9 (5) in subsection (d), by striking “(d) Any deal-
10 er” and inserting “(d) CRIMINAL PENALTIES.—Any
11 dealer”.

12 **SEC. 5. REGULATIONS.**

13 Not later than 1 year after the date of enactment
14 of this Act, the Secretary of Agriculture shall promulgate
15 such regulations as are necessary to carry out the amend-
16 ments made by this Act, including development of the
17 standards required by the amendment made by section 3.

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