

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1256

To amend the Animal Health Protection Act to exempt certain animal identification information from disclosure under the Freedom of Information Act.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 10, 2005

Mr. PETERSON of Minnesota introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend the Animal Health Protection Act to exempt certain animal identification information from disclosure under the Freedom of Information Act.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*



1       “(c) LIMITED RELEASE OF INFORMATION AUTHOR-  
2 IZED.—Notwithstanding subsection (b), the Secretary of  
3 Agriculture may release information obtained through a  
4 livestock identification system regarding particular live-  
5 stock if—

6           “(1) the information involves livestock threat-  
7 ened by disease or pest;

8           “(2) the release of the information is related to  
9 actions the Secretary may take under this subtitle;  
10 and

11           “(3) the person obtaining the information needs  
12 the information for reasons consistent with the pub-  
13 lic health and public safety purposes of the livestock  
14 identification system, as determined by the Sec-  
15 retary.

16       “(d) LIMITED RELEASE OF INFORMATION RE-  
17 QUIRED.—Notwithstanding subsection (b), the Secretary  
18 of Agriculture shall release information obtained through  
19 a livestock identification system regarding particular live-  
20 stock—

21           “(1) to the person who owns or controls the  
22 livestock, if the person requests such information;

23           “(2) to the Attorney General for the purpose of  
24 law enforcement;

1           “(3) to the Secretary of Homeland Security for  
2           the purpose of national security;

3           “(4) to a court of competent jurisdiction; and

4           “(5) to the government of a foreign country, if  
5           release of the information is necessary to trace live-  
6           stock threatened by disease or pest, as determined  
7           by the Secretary.

8           “(e) CONFLICT OF LAW.—If the information disclo-  
9           sure limitations or requirements of this section conflict  
10          with information disclosure limitations or requirements of  
11          a State law—

12           “(1) this section shall take precedence over the  
13          State law, if the conflict involves interstate or inter-  
14          national commerce; and

15           “(2) the State law shall take precedence over  
16          this section, if the conflict involves intrastate com-  
17          merce in that State.

18          “(f) LIVESTOCK IDENTIFICATION SYSTEM DE-  
19          FINED.—In this section, the term ‘livestock identification  
20          system’ means any system of identifying livestock devel-  
21          oped by the Secretary of Agriculture.”.

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