

119TH CONGRESS
1ST SESSION

S. _____

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

Mr. GRASSLEY (for himself, Ms. SMITH, Mr. MARSHALL, Mrs. HYDE-SMITH, Mr. RISCH, Ms. ERNST, Mr. MORAN, and Mr. WARNOCK) introduced the following bill; which was read twice and referred to the Committee on

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) 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 “(2) IMPORT TRANSPORTER.—The term ‘import
11 transporter’ means any person or entity that—

12 “(A) receives an imported dog from any
13 importer, dealer, research facility, exhibitor, op-
14 erator of an auction sale, or department, agen-
15 cy, or instrumentality of the United States or
16 of any State or local government; and

17 “(B) receives compensation for moving
18 such dog in commerce.

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

23 “(4) TRANSFER.—The term ‘transfer’ means a
24 change of ownership or control of an imported dog
25 to another person, including by sale, adoption, ex-
26 change, or donation.

1 “(b) REQUIREMENTS.—

2 “(1) IN GENERAL.—Except as provided in para-
3 graph (2), no person shall import a dog into the
4 United States unless prior to transport to the
5 United States, the Secretary receives electronic doc-
6 umentation necessary, as determined by the Sec-
7 retary, to demonstrate that the dog—

8 “(A) is in good health;

9 “(B) has received all necessary vaccina-
10 tions and internal and external parasite treat-
11 ment, and demonstrated negative test results,
12 as required by the Secretary and evidenced by
13 a certificate that—

14 “(i) is issued by a licensed veteri-
15 narian accredited by a competent veteri-
16 nary authority recognized by the Secretary;
17 and

18 “(ii) is endorsed by that authority in
19 a manner representing that the veteri-
20 narian issuing the certificate was author-
21 ized to do so;

22 “(C) is officially identified by a permanent
23 method approved by the Secretary; and

24 “(D) in the case that the dog is intended
25 for transfer—

1 “(i) is at least 6 months old; and

2 “(ii) is accompanied by an import per-
3 mit issued by the Secretary under this Act.

4 “(2) EXCEPTIONS.—The Secretary, by regula-
5 tion, shall provide an exception to any requirement
6 under this Act in any case in which a dog is im-
7 ported for purposes of transfer—

8 “(A) as a personal pet of United States or-
9 igin returning to the United States;

10 “(B) as a United States military working
11 dog or contracted working dog supporting a
12 military mission or tasking;

13 “(C) for research purposes;

14 “(D) for veterinary treatment which is
15 paid for by the importer, subject to the condi-
16 tion that the dog—

17 “(i) is taken directly to a veterinary
18 facility for treatment with appropriate
19 quarantine until the dog meets the criteria
20 described in paragraph (1); and

21 “(ii) is then exported to its country of
22 origin; or

23 “(E) in the case of a dog that is less than
24 6 months old, for lawful importation into the
25 State of Hawaii from the British Isles, Aus-

1 tralia, Guam, or New Zealand in compliance
2 with the regulations of the State of Hawaii and
3 the other requirements of this section, if the
4 dog is not transported out of the State of Ha-
5 waii for transfer at less than 6 months of age.

6 “(c) IMPLEMENTATION AND REGULATIONS.—Not
7 later than 18 months after the date of enactment of the
8 Healthy Dog Importation Act, the Secretary, in consulta-
9 tion with the Secretary of Health and Human Services,
10 the Secretary of Commerce, the Secretary of Homeland
11 Security, and the Secretary of Transportation, shall pro-
12 mulgate such regulations as the Secretary determines nec-
13 essary to implement and enforce this section, including
14 regulations—

15 “(1) to facilitate electronic submission and
16 interagency sharing of all documentation required
17 prior to the importation of a dog into the United
18 States under subsection (b)(1);

19 “(2) to establish any necessary post-arrival
20 verification processes for imported dogs;

21 “(3) to ensure the denial of entry into the
22 United States of any dog attempted to be imported
23 into the United States in violation of subsection
24 (b)(1);

1 “(4) to provide that each importer, import
2 transporter, intermediate handler, or carrier receiv-
3 ing a certificate of veterinary inspection required
4 under this section shall submit a copy of the certifi-
5 cate to the Secretary, who shall, upon receipt, record
6 and maintain the information in a centralized data-
7 base and, upon request by a State veterinarian,
8 share the information with such State veterinarian
9 within 3 days;

10 “(5) to require the Secretary to annually report
11 aggregated data submitted under paragraph (4), in-
12 cluding information on country of origin and pur-
13 pose of import; and

14 “(6) to determine and establish such fees for
15 the verification of documentation and issuance of
16 permits required under subsection (b)(1) as may be
17 necessary to fund the implementation and enforce-
18 ment of this section.

19 “(d) RULE OF CONSTRUCTION.—Nothing in sub-
20 section (c)(6) shall be construed as limiting the availability
21 of funding made available under section 10417 to carry
22 out this section.

23 “(e) ENFORCEMENT.—

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

4 “(2) PENALTIES.—An importer or import
5 transporter that fails to comply with this section
6 shall—

7 “(A) be subject to penalties under section
8 10414; and

9 “(B) provide, as the Secretary may deter-
10 mine, at the expense of the importer or import
11 transporter, for—

12 “(i) the care (including appropriate
13 veterinary care), forfeiture, quarantine,
14 and removal from the United States of
15 each applicable dog; and

16 “(ii) the return of each applicable dog
17 to its place of export, with due care for the
18 welfare of each applicable dog.”.

19 (b) TRANSITION PERIOD.—

20 (1) IN GENERAL.—During the transition pe-
21 riod, regulations promulgated under section 18 of
22 the Animal Welfare Act (7 U.S.C. 2148) (as in ef-
23 fect on the day before the date of enactment of this
24 Act) relating to the importation of live dogs shall
25 continue to apply to the extent that such regulations

1 do not conflict with section 10404A of the Animal
2 Health Protection Act (as inserted by subsection
3 (a)).

4 (2) TRANSITION PERIOD DEFINED.—In this
5 subsection, the term “transition period” means the
6 period beginning on the date of enactment of this
7 Act and ending on the date on which final regula-
8 tions are promulgated under such section 10404A.

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