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. Risch, Mr. Warnock, Mr. Marshall, and Mrs. Gillibrand) 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.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.
This Act may be cited as the “Healthy Dog Importation Act”.

SEC. 2. IMPORTATION OF LIVE DOGS.
(a) IN GENERAL.—The Animal Health Protection Act is amended by inserting after section 10404 (7 U.S.C. 8303) the following:
"SEC. 10404A. IMPORTATION OF LIVE DOGS.

“(a) DEFINITIONS.—In this section:

“(1) IMPORTER.—The term ‘importer’ means any person who transports or causes the transportation of a dog into the United States from a foreign country.

“(2) TRANSFER.—The term ‘transfer’ means a change of ownership or control of an imported dog to another person, including by sale, adoption, exchange, or donation.

“(b) REQUIREMENTS.—

“(1) IN GENERAL.—Except as provided in paragraph (3), no person shall import a dog into the United States unless, as determined by the Secretary, the dog—

“(A) is in good health;

“(B) has received all necessary vaccinations and internal and external parasite treatment and demonstrated negative test results, as required by the Secretary and evidenced by a certificate that—

“(i) is issued by a licensed veterinarian accredited by a competent veterinary authority recognized by the Secretary; and

and
“(ii) is endorsed by that authority in a manner representing that the veterinarian issuing the certificate was authorized to do so; and

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

“(2) Transfer.—Except as provided in paragraph (3), no person shall import or cause the transportation of a dog into the United States from a foreign country for the purpose of transfer unless, as determined by the Secretary, the dog—

“(A) meets the criteria described in paragraph (1);

“(B) is at least 6 months old; and

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

“(3) Exceptions.—The Secretary, by regulation, shall provide an exception to any requirement under this Act in any case in which a dog is imported for purposes of transfer for—

“(A) research purposes;

“(B) veterinary treatment, paid for by the importer, subject to the condition that the dog—
“(i) is taken directly to a veterinary facility for treatment with appropriate quarantine until the dog meets the criteria described in paragraph (1); and

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

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

“(c) IMPLEMENTATION AND REGULATIONS.—The Secretary, the Secretary of Health and Human Services, the Secretary of Commerce, and the Secretary of Homeland Security shall—

“(1) promulgate such regulations as the Secretaries determine to be necessary to implement and enforce this section;

“(2)(A) facilitate electronic submission of all required documentation prior to the arrival of a dog into the United States; and

“(B) make the information in the documentation submitted under subparagraph (A) available to
the Secretary, the Secretary of Health and Human
Services, the Secretary of Commerce, and the Sec-
retary of Homeland Security, as applicable, for
verification that all applicable importation require-
ments are met; and

“(3) determine and establish such fees for the
issuance of permits with respect to dog importation
as are necessary to fund the implementation and en-
forcement of this section.

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

“(e) ENFORCEMENT.—

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

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

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

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

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

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

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

SEC. 3. TRANSPORTATION.

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

(1) in subsection (e)—

(A) in paragraph (2), by striking “paragraph (1)” and inserting “subparagraph (A)”;

and

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

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

(3) by redesignating subsections (a) through (o) as paragraphs (12), (15), (3), (17), (14), (6), (1), (7), (11), (2), (8), (9), (13), (4), (10), respectively, and indenting appropriately;
(4) by inserting after paragraph (4) (as so designated) the following:

“(5) Compensation.—The term ‘compensation’ means any act, consideration, or thing of value received by a person directly, including cash or noncash benefits, cost-avoidance, obtaining positive or avoiding negative publicity, an exchange of services, or maintaining a license issued under any local, State, or Federal government authority.”;

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

“(16) Sell; resell.—The term ‘sell’ or ‘resell’ means to transfer ownership or control of an animal, including by sale, adoption, exchange, or donation.”; and

(6) by adding at the end the following:

“(18) Transporter.—The term ‘transporter’ means any person, department, agency, or instrumentality of the United States or of any State or local government, other than a carrier or intermediate handler, who—

“(A) receives an animal from any importer, dealer, research facility, exhibitor, operator of an auction sale, or department, agency,
or instrumentality of the United States or of any State or local government; and

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

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

(1) in subsection (a)(4)—

(A) in the first sentence, by striking “air carriers,” and inserting “transporters, air carriers,”; and

(B) by adding at the end the following:

“The Secretary shall provide, by regulation, that each transporter, intermediate handler, or carrier receiving a certificate of veterinary inspection required under this section shall submit a copy of the certificate to the Secretary, who shall record the information in a centralized, publicly available database and share the information with the appropriate State veterinarians.”;

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

(3) in the second subsection (f) (relating to certificates of inspection required for delivery of an ani-
(f) No dogs or cats’’; and

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

(A) in the first sentence—

(i) by inserting ‘‘importer,’’ before

‘‘dealer,’’; and

(ii) by inserting ‘‘, transporter,’’ after

‘‘intermediate handler’’; and

(B) in the second sentence—

(i) by inserting ‘‘, the transporters,’’

after ‘‘the intermediate handlers’’; and

(ii) by striking ‘‘section 10 of this

Act’’ and inserting ‘‘subsection (a)(4)’’.

SEC. 4. REGULATIONS.

(a) In General.—Not later than 18 months after

the date of enactment of this Act, the Secretary of Agri-
culture shall promulgate final regulations to implement

the amendments made by this Act, including with respect
to—

(1) the verification on arrival in the United

States of each dog being imported for transfer into

the United States from a foreign country that the
dog meets all applicable importation requirements; and
(2) the denial of entry into the United States of any dog that fails to meet those requirements.

(b) Transition Period.—Until the date on which final regulations are issued under subsection (a), the importation of live dogs shall be regulated in accordance with the regulations promulgated under section 18 of the Animal Welfare Act (7 U.S.C. 2148) (as in effect on the day before the date of enactment of this Act), but only to the extent that those regulations are not in conflict with section 10404A of the Animal Health Protection Act.