

Puppy Protection Act of 2001 (Introduced in Senate)

S 1478 IS

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.

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 'Puppy Protection Act of 2001'.

SEC. 2. FINDINGS.

Congress finds that--

- (1) puppies in the United States are mass-produced at breeding facilities known as 'puppy mills';
- (2) those puppies are typically sold at 8 weeks of age to retail operations or to live animal brokers that subsequently sell the puppies to retail operations;
- (3) there are more than 3,000 commercial dog breeding operations in the United States;
- (4) problems documented at puppy mills include--
 - (A) overcrowding in cages;
 - (B) lack of protection from the elements;
 - (C) infestation of food by rodents or insects;

- (D) overbreeding;
 - (E) inbreeding;
 - (F) lack of proper veterinary care;
 - (G) lack of socialization with humans; and
 - (H) the killing of unwanted animals;
- (5) lack of early socialization seriously affects a dog's ability to function as part of a human family and contributes to behavior problems such as aggression;
- (6) factors contributing to the declining health of female dogs and litters include--
- (A) the breeding of female dogs during the first estrus cycle when the female dogs are not fully mature; and
 - (B) the breeding of female dogs each estrus cycle without sufficient rest between litters;
- (7) the Department of Agriculture is responsible for inspecting those facilities using a set of regulations for care and treatment of the puppies and dogs promulgated under the Animal Welfare Act (7 U.S.C. 2131 et seq.);
- (8) those facilities continue to operate despite repeated violations of the regulations cited by Department of Agriculture inspectors; and
- (9) consumers purchase from retail operations puppies that are believed to be healthy and genetically sound, but that--
- (A) suffer from an array of physical and behavioral problems after purchase; or
 - (B) harbor genetic diseases and deficiencies that may not surface until several years later.

SEC. 3. SOCIALIZATION PLAN; BREEDING RESTRICTIONS.

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

- (1) in subparagraph (A), by striking `and' at the end;
- (2) in subparagraph (B), by striking the period at the end and inserting a semicolon; and
- (3) by adding at the end the following:
 - `(C) for the development of an engineering standard, including a written plan of activities, based on the recommendations of animal welfare and behavior experts, for the socialization of dogs to facilitate contact with other dogs and people; and
 - `(D) for addressing the initiation and frequency of breeding female dogs so that a female dog is not bred--
 - `(i) before the female dog has reached at least 1 year of age; and
 - `(ii) more frequently than 3 times in any 24-month period.'.

SEC. 4. REVOCATION OF LICENSE.

Section 19 of the Animal Welfare Act (7 U.S.C. 2149) is amended--
(1) by striking `SEC. 19. (a) If the Secretary' and inserting the following:

`SEC. 19. SUSPENSION OR REVOCATION OF LICENSE, CIVIL PENALTIES, JUDICIAL REVIEW, AND CRIMINAL PENALTIES.

`(a) SUSPENSION OR REVOCATION OF LICENSE-

`(1) IN GENERAL- If the Secretary';

(2) in subsection (a)--

(A) in paragraph (1) (as designated by paragraph (1)), by striking `if such violation' and all that follows and inserting `if the Secretary determines that 1 or more violations have occurred.'; and

(B) by adding at the end the following:

`(2) MANDATORY REVOCATION- If any person licensed as a dealer, exhibitor, or operator of an auction sale subject to section 12, is found, after notice and opportunity for hearing, to have violated any of the rules, regulations, or standards governing the humane handling, transportation, veterinary care, housing, breeding, socialization, feeding, watering, or other humane treatment of animals under section 12 or 13 on 3 or more separate occasions within any 8-year period, the Secretary, on finding a third violation, shall revoke the license of the person unless the Secretary makes a written finding that the violations were minor and inadvertent, that the violations did not pose a threat to the animals, or that revocation is inappropriate for other good cause.';

(3) in subsection (b), by striking `(b) Any dealer' and inserting `(b) CIVIL PENALTIES- Any dealer';

(4) in subsection (c), by striking `(c) Any dealer' and inserting `(c) JUDICIAL REVIEW- Any dealer'; and

(5) in subsection (d), by striking `(d) Any dealer' and inserting `(d) CRIMINAL PENALTIES- Any dealer'.

SEC. 5. REGULATIONS.

Not later than 1 year after the date of enactment of this Act , the Secretary of Agriculture shall promulgate such regulations as are necessary to carry out the amendments made by this Act , including development of the standards required by the amendment made by section 3.