

**AMENDMENT TO
RULES COMMITTEE PRINT 119-22
OFFERED BY MR. FITZPATRICK OF
PENNSYLVANIA**

At the end of part I of subtitle A of title XII, add the following:

1 **SEC. ____ . ADDITIONAL REQUIREMENTS FOR DEALERS.**

2 (a) **HUMANE TREATMENT OF DOGS BY DEALERS.**—

3 Section 13(a) of the Animal Welfare Act (7 U.S.C.
4 2143(a)) is amended by adding at the end the following
5 new paragraph:

6 “(9) In addition to the requirements under paragraph
7 (2), the standards described in paragraph (1) shall, with
8 respect to dealers, include requirements—

9 “(A) that such dealer provide adequate housing
10 for dogs that includes—

11 “(i) completely solid flooring;

12 “(ii) indoor space sufficient to allow the
13 tallest dog in an enclosure to stand on its hind
14 legs without touching the roof of the enclosure;

15 “(iii) with respect to dogs over 8 weeks in
16 age, primary enclosures that, with the length of

1 the dog measured from the tip of the nose to
2 the base of the tail, provide at least—

3 “(I) 12 square feet of indoor floor
4 space per each dog not more than 25
5 inches long;

6 “(II) 20 square feet of indoor floor
7 space per each dog more than 25 but not
8 more than 35 inches long; and

9 “(III) 30 square feet of indoor floor
10 space per each dog more than 35 inches
11 long;

12 “(iv) enclosures that are not stacked or
13 otherwise placed on top of or below another en-
14 closure; and

15 “(v) temperature control that—

16 “(I) is appropriate for the age, breed,
17 and condition of the dogs in the enclosure;
18 and

19 “(II) is between 45 and 85 degrees
20 Fahrenheit, when dogs are present in the
21 enclosure;

22 “(B) that appropriate and nutritious food be
23 provided to each dog at least twice per day, in an
24 amount sufficient to maintain the good health and
25 physical condition of each such dog, except when

1 fasting is directed by a licensed veterinarian in the
2 provision of appropriate veterinary care;

3 “(C) that each dog has continuous access to po-
4 table water that is not frozen and is free of feces,
5 algae, and other contaminants;

6 “(D) that each dog has adequate exercise, in-
7 cluding—

8 “(i) for dogs over the age of 12 weeks, an
9 outdoor exercise area that—

10 “(I) is freely accessible from the pri-
11 mary enclosures of such dogs;

12 “(II) is at ground-level;

13 “(III) is a solid surface;

14 “(IV) is enclosed (by a fence or other
15 structure);

16 “(V) is properly controlled for the
17 safety of the dogs;

18 “(VI) allows the dog to extend to full
19 stride, play, and engage in other types of
20 mentally stimulating and social behaviors;
21 and

22 “(VII) is restricted only during night-
23 time hours (between sunset and sunrise) or
24 during severe inclement weather; or

1 “(ii) if the dealer obtains a certification
2 from the attending veterinarian stating that the
3 dog should not have unrestricted access to an
4 outdoor exercise area for a specific medical rea-
5 son, an alternative exercise plan prescribed by
6 the veterinarian for the dog that meets the re-
7 quirements under section 3.8(a) of title 9, Code
8 of Federal Regulations, as in effect on the date
9 of enactment of this paragraph;

10 “(E) that each dog has meaningful socialization
11 with humans and compatible dogs for at least 30
12 minutes each day that—

13 “(i) includes positive interaction with a
14 human such as petting, stroking, grooming,
15 feeding, playing with, exercising, or other
16 touching of the dog that is beneficial to the
17 well-being of the dog; and

18 “(ii) does not include time spent in veteri-
19 nary care;

20 “(F) that each dog receives adequate veterinary
21 care and that each dealer maintain updated records
22 of all instances of such care, including—

23 “(i) prompt treatment by the dealer of any
24 minor or shallow cuts, scrapes, and abrasions;

1 “(ii) prompt diagnosis and treatment by a
2 licensed veterinarian in any case where symp-
3 toms of any transmissible disease or infection
4 or any illness or injury are significant, visible,
5 or evident in the behavior, affect, appetite, or
6 activity level of the dog;

7 “(iii) a thorough hands-on examination by
8 a licensed veterinarian at least once each year,
9 which shall include a basic dental exam;

10 “(iv) core vaccinations recommended by
11 the most recent version of the American Animal
12 Hospital Association Canine Vaccination Guide-
13 lines as in effect on the date of enactment of
14 this paragraph; and

15 “(v) medications to prevent intestinal
16 parasites, heartworm disease, fleas, and ticks
17 that are approved by a licensed veterinarian for
18 canine use;

19 “(G) with respect to safe breeding practices for
20 dogs, including—

21 “(i) a screening program for known preva-
22 lent inheritable diseases that may be disabling
23 or likely to significantly affect the lifespan or
24 quality of life of the mother or her offspring;

1 “(ii) prohibiting breeding, unless each dog
2 bred has been screened by a veterinarian prior
3 to each attempt to breed and is found to be free
4 from health conditions that may be disabling to,
5 or likely to significantly affect the lifespan or
6 quality of life of, the mother or her offspring
7 (as documented by a licensed veterinarian upon
8 examination);

9 “(iii) prohibiting the breeding of a female
10 dog to produce—

11 “(I) more than 2 litters in any 25-
12 month period; or

13 “(II) more than 6 litters in the life-
14 time of such dog;

15 “(iv) that female dogs of small breeds, hav-
16 ing a maximum weight range at maturity that
17 is below 40 pounds, not be bred—

18 “(I) before reaching the age of 18
19 months; or

20 “(II) after reaching the age of 9
21 years;

22 “(v) that female dogs of large breeds, hav-
23 ing expected weight ranges at maturity that in-
24 clude 40 or more pounds, not be bred—

1 “(I) before reaching the age of 2
2 years; or

3 “(II) after reaching the age of 7
4 years; and

5 “(vi) that any canine caesarian section be
6 performed by a licensed veterinarian;

7 “(H) that dogs be housed with other dogs, un-
8 less health conditions identified by a licensed veteri-
9 narian or behavioral issues make group housing un-
10 safe; and

11 “(I) to make all reasonable efforts to find hu-
12 mane placement for retired breeding dogs (such as
13 with an adoptive family, rescue organization, or
14 other appropriate owner for that dog, and not in-
15 cluding selling at auction or otherwise placing a re-
16 tired breeding dog with another breeder for breeding
17 purposes).”.

18 (b) CONFORMING AMENDMENT.—Section
19 13(a)(2)(B) of the Animal Welfare Act (7 U.S.C.
20 2143(a)(2)(B)) is amended by inserting “subject to para-
21 graph (9),” before “for exercise of dogs”.

22 (c) REGULATIONS.—Not later than 18 months after
23 the date of enactment of this Act, the Secretary shall issue
24 final regulations establishing the standards for the care

1 of dogs by dealers, as required by this section and the
2 amendments made by this section.

