

**AMENDMENT TO RULES COMMITTEE PRINT**

**119-22**

**OFFERED BY MR. KRISHNAMOORTHY OF ILLINOIS**

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

1 **SEC. \_\_\_\_ . ANIMAL WELFARE ENFORCEMENT IMPROVE-**  
2 **MENT.**

3 (a) CLARIFICATION WITH RESPECT TO ISSUANCE OF  
4 LICENSES.—Section 3 of the Animal Welfare Act (7  
5 U.S.C. 2133) is amended to read as follows:

6 **“SEC. 3. LICENSES.**

7 “(a) IN GENERAL.—Subject to subsections (c), (d),  
8 and (e), the Secretary shall issue licenses to dealers and  
9 exhibitors upon—

10 “(1) the submission of an application for such  
11 license that—

12 “(A) contains an inventory of all animals  
13 present in all of the applicant’s facilities; and

14 “(B) is submitted in such form and man-  
15 ner as the Secretary may prescribe; and

16 “(2) payment of such fee established pursuant  
17 to section 23.

1       “(b) VALIDITY OF LICENSE.—A license issued under  
2 subsection (a) shall be valid for a period not to exceed  
3 1 calendar year. An applicant shall submit an application  
4 to obtain a new license under such subsection each cal-  
5 endar year before the expiration of the previously issued  
6 license.

7       “(c) PROHIBITED DEALERS AND EXHIBITORS.—Not-  
8 withstanding subsection (a), the Secretary may not issue  
9 a license under such subsection to a dealer or exhibitor  
10 if—

11           “(1) such dealer or exhibitor has been found to  
12 have violated (including by entering a nolo  
13 contendere, no contest plea, or guilty plea with re-  
14 spect to the violation) Federal, State, or local laws  
15 relating to animals, including this Act and any other  
16 anti-animal cruelty or wildlife protection law; or

17           “(2) the issuance of a license to such dealer or  
18 exhibitor would facilitate the circumvention of State  
19 or local law prohibiting the private ownership of cer-  
20 tain animals.

21       “(d) UNANNOUNCED FACILITY INSPECTIONS.—

22           “(1) IN GENERAL.—Notwithstanding subsection  
23 (a) and except as provided in paragraph (2), the  
24 Secretary may not issue a new license under such  
25 subsection to a dealer or exhibitor in possession of

1 a valid, effective license previously issued under such  
2 subsection until the dealer or exhibitor shall have  
3 demonstrated through at least one full, unan-  
4 nounced, annual inspection, that the facilities of  
5 such dealer or exhibitor at the time of inspection—

6 “(A) comply with the standards promul-  
7 gated by the Secretary pursuant to section 13;  
8 and

9 “(B) have not been documented as having  
10 not complied with any such standard during  
11 more than one inspection in the previous 2 cal-  
12 endar years.

13 “(2) NEW APPLICANTS.—In the case of an ap-  
14 plicant seeking to be licensed as a dealer or exhibitor  
15 under subsection (a) who has not previously been so  
16 licensed, the applicant shall not be eligible for more  
17 than 2 inspections conducted pursuant to paragraph  
18 (1). Both such inspections shall be conducted within  
19 the 90-day period that begins on the date of the re-  
20 ceipt of the application by the Secretary. If, upon  
21 the second inspection, the applicant is found to have  
22 failed to meet any standard promulgated by the Sec-  
23 retary pursuant to section 13, the Secretary shall  
24 deny the application for such license and such appli-  
25 cant may not submit an application for such a li-

1           cense for a one-year period beginning on the date on  
2           which the application is so denied.

3           “(e) EXCEPTION.—Notwithstanding subsection (a), a  
4           dealer or exhibitor shall not be required to obtain a license  
5           as a dealer or exhibitor under this Act if the size of the  
6           business is determined by the Secretary to be de mini-  
7           mis.”.

8           (b) HUMANE STANDARDS WITH RESPECT TO WA-  
9           TERING AND ADEQUATE VETERINARY CARE.—Section  
10          13(a) of the Animal Welfare Act (7 U.S.C. 2143(a)) is  
11          amended by adding at the end the following:

12                 “(9) The standards with respect to minimum  
13                 requirements for adequate veterinary care referred  
14                 to in paragraph (2) shall include, at a minimum, the  
15                 following:

16                         “(A) Regularly scheduled visits, not less  
17                         than once every 12 months, by the attending  
18                         veterinarian to all dealer and exhibitor premises  
19                         where animals are kept, to assess and ensure  
20                         the adequacy of veterinary care and other as-  
21                         pects of animal care and use.

22                         “(B) A complete physical examination of  
23                         each animal maintained by a dealer or exhibitor  
24                         by the attending veterinarian not less than once

1 every 12 months, unless animal health or safety  
2 considerations require a different protocol.

3 “(C) Vaccinations for contagious or deadly  
4 diseases, and sampling and treatment of  
5 parasites and other pests, to which the species  
6 maintained by a dealer or exhibitor may be sus-  
7 ceptible, in accordance with a schedule ap-  
8 proved by the attending veterinarian.

9 “(D) Preventative care and treatment as  
10 required by the species maintained by a dealer  
11 or exhibitor, in accordance with a schedule ap-  
12 proved by the attending veterinarian.”.

13 (c) LICENSE SUSPENSIONS AND REVOCATIONS.—  
14 Section 19 of the Animal Welfare Act (7 U.S.C. 2149)  
15 is amended—

16 (1) in subsection (a)—

17 (A) by striking “hereunder, he may sus-  
18 pend” and inserting the following: “here-  
19 under—

20 “(1) in the case of any such violation that is  
21 not described in paragraph (2), the Secretary may  
22 suspend”;

23 (B) by striking the period at the end and  
24 inserting “; and”; and

1 (C) by adding at the end the following new  
2 paragraph:

3 “(2) in the case of such a violation that the  
4 Secretary determines presents a risk to animal wel-  
5 fare, the Secretary shall—

6 “(A) suspend such person’s license tempo-  
7 rarily, but for a period not to exceed 21 days;  
8 and

9 “(B) after notice and opportunity for an  
10 informal hearing, permanently revoke such li-  
11 cense if the Secretary determines that—

12 “(i) the violation occurred;

13 “(ii) the violation presents or has pre-  
14 sented a risk to animal welfare; and

15 “(iii) the violation has persisted past  
16 the initial period of license suspension  
17 under subparagraph (A) or the person has  
18 been found to have committed one or more  
19 other such violations (including by entering  
20 a nolo contendere, no contest plea, or  
21 guilty plea with respect to any such viola-  
22 tion) affecting animal welfare.”; and

23 (2) by adding at the end the following:

24 “(e)(1) Any person whose license has been suspended  
25 for any reason shall not be licensed, or registered, in his

1 or her own name or in any other manner, within the period  
2 during which the order of suspension is in effect. No fam-  
3 ily member, household member, partnership, firm, cor-  
4 poration, or other legal entity in which any such person  
5 has a substantial interest, financial or otherwise, will be  
6 licensed or registered during that period.

7 “(2) Any person whose license has been revoked shall  
8 not be licensed or registered, in his or her own name or  
9 in any other manner, at any time, and no family member,  
10 household member, partnership, firm, corporation, or  
11 other legal entity in which any such person has a substan-  
12 tial interest, financial or otherwise, will be licensed or reg-  
13 istered.

14 “(3) Any person whose license has been suspended  
15 or revoked shall not buy, sell, transport, exhibit, deliver  
16 for transportation, or be employed in any capacity with  
17 respect to any animal during the period of suspension or  
18 revocation, under any circumstances, whether on his or  
19 her behalf or on the behalf of another licensee or reg-  
20 istrant.”.

21 (d) PUBLICATION OF INFORMATION ON VIOLA-  
22 TIONS.—The Animal Welfare Act is amended by inserting  
23 before section 26 (7 U.S.C. 2156) the following new sec-  
24 tion:

1 **“SEC. 25A. PUBLICATION OF INFORMATION ON ENFORCE-**  
2 **MENT.**

3 “The Secretary shall publish, in a searchable format  
4 on a public website of the Department of Agriculture, in-  
5 formation and reports (in their entirety and without redac-  
6 tion) on the nature and place of all investigations and in-  
7 spections conducted by the Secretary under section 16 (in-  
8 cluding all reports documenting all instances of non-  
9 compliance with this Act observed during any such inspec-  
10 tion), enforcement records, and animal inventories.”.

11 (e) REGULATIONS.—Not later than 90 days after the  
12 date of the enactment of this Act, the Secretary shall issue  
13 regulations to carry out the amendments made by this sec-  
14 tion.

