

Union Calendar No. 357

109TH CONGRESS
2^D SESSION

H. R. 503

[Report No. 109–617, Part I]

To amend the Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 1, 2005

Mr. SWEENEY (for himself, Mr. SPRATT, Mr. WHITFIELD, Mrs. BONO, Mr. BROWN of Ohio, Mr. COX, Mrs. CAPPS, Mr. ENGEL, Ms. ESHOO, Mr. FERGUSON, Mr. GENE GREEN of Texas, Mr. PALLONE, Mr. TOWNS, Mr. GALLEGLY, Mr. MORAN of Virginia, and Mr. SHAYS) introduced the following bill; which was referred to the Committee on Energy and Commerce

JULY 13, 2006

Rereferred to the Committee on Energy and Commerce, and in addition, to the Committee on Agriculture

SEPTEMBER 6, 2006

Additional sponsors: Mr. LATOURETTE, Mr. GONZALEZ, Mr. WAXMAN, Mr. PITTS, Mr. BILIRAKIS, Mr. RAHALL, Mr. CRENSHAW, Mr. JONES of North Carolina, Mr. KILDEE, Mr. VAN HOLLEN, Mr. FARR, Mr. KING of New York, Mr. SHERMAN, Mr. DICKS, Mr. LEVIN, Mr. GEORGE MILLER of California, Mr. DOYLE, Mr. LEWIS of California, Ms. SCHAKOWSKY, Mrs. MALONEY, Mr. HASTINGS of Florida, Mr. STRICKLAND, Ms. WOOLSEY, Mr. MCNULTY, Mr. HINCHEY, Mr. STARK, Mr. RUSH, Mr. TAYLOR of Mississippi, Mr. TIERNEY, Mr. FILNER, Mr. MENENDEZ, Mr. SIMMONS, Mr. WU, Mr. SHAW, Mr. WILSON of South Carolina, Mr. NADLER, Mr. ROTHMAN, Mr. LARSEN of Washington, Mr. KENNEDY of Rhode Island, Ms. MCCOLLUM of Minnesota, Ms. WATSON, Mr. BARTLETT of Maryland, Mr. GRIJALVA, Ms. LEE, Mr. FOLEY, Mr. OLVER, Mr. PAYNE, Ms. BALDWIN, Mrs. NAPOLITANO, Ms. SCHWARTZ of Pennsylvania, Mr. SERRANO, Mr. TOM DAVIS of Virginia, Ms.

SLAUGHTER, Ms. BERKLEY, Mr. NEY, Mr. KIRK, Ms. WATERS, Mr. UDALL of New Mexico, Ms. ROS-LEHTINEN, Mr. CUMMINGS, Ms. HARRIS, Mr. BECERRA, Mr. PLATTS, Mr. CASTLE, Ms. VELÁZQUEZ, Mr. INSLEE, Mr. LANGEVIN, Mr. FRANK of Massachusetts, Mr. BERMAN, Mr. ABERCROMBIE, Mr. LINDER, Mr. EVANS, Mr. MICHAUD, Ms. ZOE LOFGREN of California, Mr. WYNN, Mr. WELDON of Pennsylvania, Mr. MCGOVERN, Mr. ISRAEL, Mr. MARKEY, Mr. PRICE of North Carolina, Mrs. TAUSCHER, Mr. DELAHUNT, Mr. SMITH of New Jersey, Mrs. MCCARTHY, Mr. WEINER, Mrs. MYRICK, Mr. NEAL of Massachusetts, Mr. SCOTT of Virginia, Mr. BOEHLERT, Mr. MOORE of Kansas, Mr. PORTER, Ms. SOLIS, Mr. ACKERMAN, Mr. CAPUANO, Mr. WOLF, Ms. DELAURO, Mr. RANGEL, Mr. GUTIERREZ, Mr. LYNCH, Mr. DAVIS of Florida, Mr. CHABOT, Ms. MATSUI, Mr. HOLT, Ms. CARSON, Ms. ROYBAL-ALLARD, Mr. LARSON of Connecticut, Mr. BROWN of South Carolina, Mr. AL GREEN of Texas, Mr. CLEAVER, Mr. GOODE, Mrs. JO ANN DAVIS of Virginia, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MEEHAN, Mr. FITZPATRICK of Pennsylvania, Mr. OWENS, Mr. ANDREWS, Mr. RYAN of Ohio, Mr. CONYERS, Mr. LEWIS of Georgia, Mr. WEXLER, Mr. MCCOTTER, Mr. LANTOS, Ms. KAPTUR, Ms. KILPATRICK of Michigan, Mr. CLYBURN, Ms. LINDA T. SÁNCHEZ of California, Mr. EMANUEL, Mr. RUPPERSBERGER, Mr. DENT, Ms. PRYCE of Ohio, Mr. CASE, Mr. FATTAH, Mr. KLINE, Mr. YOUNG of Florida, Mr. GREEN of Wisconsin, Mr. GERLACH, Mr. BRADY of Pennsylvania, Mr. EHLERS, Ms. BORDALLO, Mr. FRELINGHUYSEN, Mr. DOGGETT, Mrs. DAVIS of California, Mr. INGLIS of South Carolina, Mr. BARRETT of South Carolina, Ms. MILLENDER-McDONALD, Ms. CORRINE BROWN of Florida, Mr. KELLER, Mr. BACHUS, Mr. LINCOLN DIAZ-BALART of Florida, Ms. NORTON, Mr. OXLEY, Mrs. KELLY, Mr. WAMP, Ms. LORETTA SANCHEZ of California, Mr. SCHIFF, Mr. BISHOP of New York, Mr. MILLER of North Carolina, Mr. HOSTETTLER, Mrs. JONES of Ohio, Mr. DEFazio, Ms. JACKSON-LEE of Texas, Mr. BLUMENAUER, Mr. HAYWORTH, Mr. KUCINICH, Mr. JACKSON of Illinois, Mr. FORD, Mr. THOMPSON of Mississippi, Mr. ENGLISH of Pennsylvania, Mr. LEWIS of Kentucky, Mr. REGULA, Mr. MEEKS of New York, Ms. DEGETTE, Mr. RAMSTAD, Mr. DAVIS of Illinois, Mr. ADERHOLT, Mr. LOBIONDO, Mr. BAIRD, Mr. HYDE, Mr. SHUSTER, Ms. MOORE of Wisconsin, Mrs. LOWEY, Mr. CHANDLER, Mr. ROGERS of Kentucky, Mr. CRAMER, Mr. HUNTER, Mr. WELLER, Mr. CAMPBELL of California, and Mr. BURTON of Indiana

SEPTEMBER 6, 2006

Reported adversely from the Committee on Agriculture with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

SEPTEMBER 6, 2006

Committee on Energy and Commerce discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

To amend the Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption, 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. PROHIBITION ON SHIPPING, TRANSPORTING,**
4 **MOVING, DELIVERING, RECEIVING, POS-**
5 **SESSING, PURCHASING, SELLING, OR DONA-**
6 **TION OF HORSES AND OTHER EQUINES FOR**
7 **SLAUGHTER FOR HUMAN CONSUMPTION.**

8 (a) *DEFINITIONS.*—*Section 2 of the Horse Protection*
9 *Act (15 U.S.C. 1821) is amended—*

10 (1) *by redesignating paragraphs (1), (2), (3),*
11 *and (4) as paragraphs (2), (3), (5), and (6), respec-*
12 *tively;*

13 (2) *by inserting before paragraph (2), as so re-*
14 *designated, the following new paragraph:*

15 “(1) *The term ‘human consumption’ means in-*
16 *gestion by people as a source of food.’; and*

1 (3) by inserting after paragraph (3), as so redesi-
2 gnated, the following new paragraph:

3 “(4) The term ‘slaughter’ means the killing of
4 one or more horses or other equines with the intent
5 to sell or trade the flesh for human consumption.”.

6 (b) FINDINGS.—Section 3 of the Horse Protection Act
7 (15 U.S.C. 1822) is amended—

8 (1) by redesignating paragraphs (1) through (5)
9 as paragraphs (6) through (10), respectively;

10 (2) by adding before paragraph (6), as so redesi-
11 gnated, the following new paragraphs:

12 “(1) horses and other equines play a vital role
13 in the collective experience of the United States and
14 deserve protection and compassion;

15 “(2) horses and other equines are domestic ani-
16 mals that are used primarily for recreation, pleasure,
17 and sport;

18 “(3) unlike cows, pigs, and many other animals,
19 horses and other equines are not raised for the pur-
20 pose of being slaughtered for human consumption;

21 “(4) individuals selling horses or other equines
22 at auctions are seldom aware that the animals may
23 be bought for the purpose of being slaughtered for
24 human consumption; and

1 “(5) *the Animal and Plant Health Inspection*
2 *Service of the Department of Agriculture has found*
3 *that horses and other equines cannot be safely and hu-*
4 *manely transported in double deck trailers;”*; and

5 (3) *by striking paragraph (8), as so redesign-*
6 *ated, and inserting the following new paragraph:*

7 “(8) *the movement, showing, exhibition, or sale*
8 *of sore horses in intrastate commerce, and the ship-*
9 *ping, transporting, moving, delivering, receiving, pos-*
10 *sessing, purchasing, selling, or donation in intrastate*
11 *commerce of horses and other equines to be slaugh-*
12 *tered for human consumption, adversely affect and*
13 *burden interstate and foreign commerce;”*.

14 (c) *PROHIBITION.—Section 5 of the Horse Protection*
15 *Act (15 U.S.C. 1824) is amended—*

16 (1) *by redesignating paragraphs (8) through (11)*
17 *as paragraphs (9) through (12), respectively; and*

18 (2) *by inserting after paragraph (7) the fol-*
19 *lowing new paragraph:*

20 “(8) *As a pilot program to evaluate the feasi-*
21 *bility and practicability of imposing such a prohibi-*
22 *tion nation-wide, the shipping, transporting, moving,*
23 *delivering, receiving, possessing, purchasing, selling,*
24 *or donation of any horse or other equine in the States*

1 *of Kentucky or New York to be slaughtered for human*
2 *consumption, unless the equine—*

3 “(A) *is owned or controlled by a State or*
4 *local government or owned by an individual who*
5 *purchased the equine from a State or local gov-*
6 *ernment;*

7 “(B) *will be slaughtered at a facility oper-*
8 *ating before the date of the enactment of this*
9 *paragraph; or*

10 “(C) *will be slaughtered for human con-*
11 *sumption for charitable or humanitarian pur-*
12 *poses.”.*

13 *(d) AUTHORITY TO DETAIN.—Section 6(e) of the Horse*
14 *Protection Act (15 U.S.C. 1825(e)) is amended—*

15 *(1) by striking the first sentence of paragraph*
16 *(1);*

17 *(2) by redesignating paragraphs (1) and (2) as*
18 *paragraphs (2) and (3), respectively; and*

19 *(3) by inserting before paragraph (2), as so re-*
20 *designated, the following new paragraph:*

21 “(1) *The Secretary may detain for examination, test-*
22 *ing, or the taking of evidence—*

23 “(A) *any horse at any horse show, horse exhi-*
24 *bition, or horse sale or auction which is sore or which*

1 *the Secretary has probable cause to believe is sore;*
2 *and*

3 “(B) *any horse or other equine which the Sec-*
4 *retary has probable cause to believe is being shipped,*
5 *transported, moved, delivered, received, possessed, pur-*
6 *chased, sold, or donated in violation of section 5(8).”.*

7 (e) *REIMBURSEMENT.*—*Section 11 of the Horse Protec-*
8 *tion Act (15 U.S.C. 1830) is amended to read as follows:*

9 **“SEC. 11. REIMBURSEMENT OF OWNERS FOR LOSS OF**
10 **VALUE OF HORSES.**

11 *“The Secretary shall compensate the owner of an*
12 *equine who disposes of such equine due to the prohibition*
13 *under section 5(8). The Secretary shall compensate such*
14 *owner for the total amount of—*

15 “(1) *the loss in value of the equine due to such*
16 *prohibition; and*

17 “(2) *the costs incurred in the disposal of such*
18 *equine.”.*

19 (f) *RESPONSIBILITY FOR UNWANTED HORSES.*—*The*
20 *Horse Protection Act is further amended by inserting after*
21 *section 11 (15 U.S.C. 1830), as amended by subsection (e),*
22 *the following new section:*

23 **“SEC. 11A. RESPONSIBILITY FOR UNWANTED HORSES.**

24 *“The Secretary shall assume responsibility for any*
25 *equine that is unwanted by an owner.”.*

1 (g) *AUTHORIZATION OF APPROPRIATIONS.—Section 12*
2 *of the Horse Protection Act (15 U.S.C. 1831) is amended*
3 *by striking “\$500,000” and inserting “\$5,000,000”.*

Union Calendar No. 357

109TH CONGRESS
2^D SESSION

H. R. 503

[Report No. 109-617, Part I]

A BILL

To amend the Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption, and for other purposes.

SEPTEMBER 6, 2006

Committee on Energy and Commerce discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed