

112TH CONGRESS  
1ST SESSION

# H. R. 3359

To amend the Animal Welfare Act to restrict the use of exotic and non-domesticated animals in traveling circuses and exhibitions.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 3, 2011

Mr. MORAN (for himself, Mr. ROTHMAN of New Jersey, Mr. FILNER, Mr. YOUNG of Florida, Mr. RAHALL, Mr. STARK, Mr. KUCINICH, Mr. NADLER, Mr. VAN HOLLEN, and Mr. POLIS) introduced the following bill; which was referred to the Committee on Agriculture

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## A BILL

To amend the Animal Welfare Act to restrict the use of exotic and non-domesticated animals in traveling circuses and exhibitions.

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. SHORT TITLE.**

4 This Act may be cited as the “Traveling Exotic Ani-  
5 mal Protection Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

1           (1) traveling circuses are detrimental to animal  
2 welfare due to the adverse effects of captivity and  
3 transport;

4           (2) due to severe confinement, lack of free exer-  
5 cise, and the restriction of natural behaviors, ani-  
6 mals used in circuses suffer and are prone to health,  
7 behavioral, and psychological problems;

8           (3) the tricks that exotic and non-domesticated  
9 animals are forced to perform require extreme phys-  
10 ical coercion techniques, including the restriction of  
11 food, the use of elephant hooks (objects used to con-  
12 trol and punish elephants), electric shocks, metal  
13 bars, whips, and other forms of physical abuse;

14           (4) the welfare of animals subject to the condi-  
15 tions in traveling circuses, such as constant travel,  
16 limited facilities, long periods of restriction of move-  
17 ment, stress, and physical coercion, will inevitably be  
18 compromised, which can lead to increased risks to  
19 public safety;

20           (5) animals in traveling circuses pose an addi-  
21 tional risk to public safety because such animals  
22 have wild instincts and needs and have demonstrated  
23 unpredictability;

24           (6) the use of collapsible, temporary facilities in  
25 traveling circuses increases the risk of escaping ex-

1       otic and non-domesticated animals seriously harming  
2       workers and the public;

3           (7) traveling circuses bring people dangerously  
4       close to exotic and non-domesticated animals by dis-  
5       playing animals in inappropriate, uncontrolled areas  
6       that are not suited for the exhibition of such ani-  
7       mals;

8           (8) it is not possible to provide exotic and non-  
9       domesticated animals with facilities sufficient to  
10      maintain the optimum physical and mental health of  
11      the animals because of the suffering caused to the  
12      animals by the nature of circuses, in which restric-  
13      tion of movement, separation from natural  
14      groupings, restriction of food and water, and phys-  
15      ical abuse are prevalent;

16          (9) due to the mobile and transitory nature of  
17      traveling circuses, law enforcement authorities can-  
18      not properly monitor the conditions of the animals  
19      or follow up on previous infractions by traveling cir-  
20      cuses; and

21          (10) restricting the use of exotic and non-do-  
22      mesticated animals in circuses is the most cost-effec-  
23      tive and efficient way to safeguard both animal wel-  
24      fare and public safety.

1 **SEC. 3. USE OF EXOTIC OR WILD ANIMALS IN TRAVELING**  
2 **CIRCUSES AND EXHIBITIONS.**

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

6 “(i)(1) No exhibitor may allow for the participation  
7 of an exotic or wild animal (including a non-human pri-  
8 mate) in an animal act if, during the 15-day period pre-  
9 ceding such participation, such animal was traveling in a  
10 mobile housing facility.

11 “(2) The restriction under paragraph (1) shall not  
12 apply to the use of an exotic or wild animal (including  
13 a non-human primate)—

14 “(A) in an exhibition at a non-mobile, perma-  
15 nent institution or facility, including an accredited  
16 zoo or aquarium;

17 “(B) as part of an outreach program for edu-  
18 cational or conservation purposes by an accredited  
19 zoo or aquarium, if the animal used for such pur-  
20 poses is not kept in a mobile housing facility for  
21 more than 12 hours a day;

22 “(C) by a university, college, laboratory, or  
23 other research facility registered with the Secretary  
24 pursuant to section 6;

25 “(D) in film, television, or advertising if such  
26 use does not involve a live public exhibition; or

1           “(E) in a rodeo.

2           “(3) A traveling circus or exhibitor that fails to com-  
3 ply with this subsection shall be subject to the penalties  
4 provided for under section 19.”.

5 **SEC. 4. EFFECTIVE DATE.**

6           The amendments made by this Act shall take effect  
7 on the date that is one year after the date of the enact-  
8 ment of this Act.

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