

104TH CONGRESS  
2D SESSION

# S. 2114

To amend the Animal Welfare Act to ensure that all dogs and cats used by research facilities are obtained legally, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 24, 1996

Mr. AKAKA introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

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## A BILL

To amend the Animal Welfare Act to ensure that all dogs and cats used by research facilities are obtained legally, 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. SHORT TITLE.**

4 This Act may be cited as the “Pet Safety and Protec-  
5 tion Act of 1996”.

6 **SEC. 2. PROTECTION OF PETS.**

7 (a) RESEARCH FACILITIES.—Section 7 of the Animal  
8 Welfare Act (7 U.S.C. 2137) is amended to read as fol-  
9 lows:

1 **“SEC. 7. SOURCES OF DOGS AND CATS FOR RESEARCH FA-**  
 2 **CILITIES.**

3 “(a) DEFINITION OF PERSON.—In this section, the  
 4 term ‘person’ means any individual, partnership, firm,  
 5 joint stock company, corporation, association, trust, es-  
 6 tate, pound, shelter, or other legal entity.

7 “(b) USE OF DOGS AND CATS.—No research facility  
 8 or Federal research facility may use a dog or cat for re-  
 9 search or educational purposes if the dog or cat was ob-  
 10 tained from a person other than a person described in sub-  
 11 section (c).

12 “(c) PERMISSIBLE SOURCES.—A person from whom  
 13 a research facility or a Federal research facility may ob-  
 14 tain a dog or cat for research or educational purposes  
 15 under subsection (b), and a person who may sell or donate  
 16 a dog or cat to a research facility or a Federal research  
 17 facility under subsection (d), shall be—

18 “(1) a dealer licensed under section 3 that has  
 19 bred and raised the dog or cat;

20 “(2) a publicly owned and operated pound or  
 21 shelter that—

22 “(A) is registered with the Department of  
 23 Agriculture;

24 “(B) is in compliance with section 28(a)(1)  
 25 and with the requirements for dealers in sub-  
 26 sections (b) and (c) of section 28; and

1           “(C) obtained the dog or cat from its legal  
2           owner, other than a pound or shelter;

3           “(3) a person that is donating the dog or cat  
4           and that—

5           “(A) bred and raised the dog or cat; or

6           “(B) owned the dog or cat for not less  
7           than 1 year immediately preceding the dona-  
8           tion;

9           “(4) a research facility licensed by the Depart-  
10          ment of Agriculture; or

11          “(5) a Federal research facility licensed by the  
12          Department of Agriculture.

13          “(d) PROHIBITION ON SALE OR DONATION OF DOGS  
14          AND CATS.—No person, other than a person described in  
15          subsection (c), may sell or donate, or offer for sale or do-  
16          nation, a dog or cat to any research facility or Federal  
17          research facility.

18          “(e) PENALTIES.—A person that violates this section  
19          shall pay \$1,000 for each violation.

20          “(f) NO REQUIRED SALE OR DONATION.—Nothing  
21          in this section requires a pound or shelter to sell or donate,  
22          or offer to sell or donate, a dog or cat to a research facility  
23          or a Federal research facility.”.

24          (b) FEDERAL RESEARCH FACILITIES.—Section 8 of  
25          the Animal Welfare Act (7 U.S.C. 2138) is amended—

1           (1) by striking “No department” and inserting  
2           “Except as provided in section 7, no department”;

3           (2) by striking “research or experimentation  
4           or”; and

5           (3) by striking “such purposes” and inserting  
6           “that purpose”.

7           (c) CERTIFICATION.—Section 28(b)(1) of the Animal  
8           Welfare Act (7 U.S.C. 2158(b)(1)) is amended by striking  
9           “individual or entity” and inserting “research facility or  
10          Federal research facility”.

11       **SEC. 3. EFFECTIVE DATE.**

12          The amendments made by section 2 shall become ef-  
13          fective 90 days after the date of enactment of this Act.

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