

105TH CONGRESS  
2D SESSION

# S. 2202

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

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## IN THE SENATE OF THE UNITED STATES

JUNE 23, 1998

Mr. AKAKA (for himself, Mr. INOUE, Mr. LEVIN, Ms. MOSELEY-BRAUN, Ms. LANDRIEU, and Mr. KENNEDY) 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.

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 1998”.

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 (d).

12 “(c) SELLING, DONATING, OR OFFERING DOGS AND  
13 CATS.—No person, other than a person described in sub-  
14 section (d), may sell, donate, or offer a dog or cat to any  
15 research facility or Federal research facility.

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

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

24 “(2) a publicly owned and operated pound or  
25 shelter that—

1           “(A) is registered with the Department of  
2           Agriculture;

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

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

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

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

11           “(B) owned the dog or cat for not less  
12           than 1 year immediately preceding the dona-  
13           tion;

14           “(4) a research facility licensed by the Depart-  
15           ment of Agriculture; and

16           “(5) a Federal research facility licensed by the  
17           Department of Agriculture.

18           “(e) PENALTIES.—

19           “(1) IN GENERAL.—A person that violates this  
20           section shall pay \$1000 for each violation.

21           “(2) ADDITIONAL PENALTY.—A penalty under  
22           this subsection shall be in addition to any other ap-  
23           plicable penalty and shall be imposed whether or not  
24           the Secretary imposes any other penalty.

1       “(f) NO REQUIRED SALE OR DONATION.—Nothing  
2 in this section requires a pound or shelter to sell, donate,  
3 or offer a dog or cat to a research facility or Federal re-  
4 search facility.”.

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

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

9           (2) by striking “research or experimentation  
10 or”; and

11          (3) by striking “such purposes” and inserting  
12       “that purpose”.

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

17 **SEC. 3. EFFECTIVE DATE.**

18       The amendments made by section 2 take effect 90  
19 days after the date of enactment of this Act.

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