

1 research, experimentation, or testing, involving the use of
2 animals;

3 “(g) The term ‘Federal award for the conduct of re-
4 search, experimentation, or testing, involving the use of ani-
5 mals’ means any mechanism (grant, contract, cooperative
6 agreement, or loan) under which Federal funds are provided
7 to support the conduct of such research;

8 “(h) The term ‘direct use of conscious animals’ means
9 any use or procedure that involves more than momentary
10 minor pain or discomfort, except where the animal is anes-
11 thetized throughout the entire course of that use or proce-
12 dure;

13 “(i) The term ‘quorum’ means a majority of the commit-
14 tee members;”.

15 **STANDARDS AND CERTIFICATION PROCESS**

16 **SEC. 4.** (a) Subsection (a) of section 13 of the Animal
17 Welfare Act is amended by adding after “(a)” the following:
18 “(1)”.

19 (b) The second sentence of section 13(a) of the Animal
20 Welfare Act (7 U.S.C. 2143(a)) is amended to read as fol-
21 lows: “Such standards shall include—

22 “(A) proper requirements with respect to han-
23 dling, housing, feeding, watering, sanitation, ventila-
24 tion, and shelter from extremes of weather and tem-
25 peratures;

1 “(B) provision for adequate exercise and separa-
2 tion by species where the Secretary finds that such
3 separation is necessary for humane handling; and

4 “(C) provision for adequate veterinary care, in-
5 cluding the appropriate use of anesthetic, analgesic, or
6 tranquilizing drugs and appropriate presurgical and
7 post-surgical medical and nursing care.”.

8 (c) The last sentence of section 13(a) of the Animal
9 Welfare Act (7 U.S.C. 2143(a)) is amended to read as fol-
10 lows: “Nothing in this Act shall be construed as authorizing
11 the Secretary to promulgate rules, regulations, or orders with
12 regard to design of research or experimentation by a research
13 facility. The Secretary shall promulgate standards for re-
14 search facilities, including proper requirements for animal
15 care, treatment, and methodology in experimental procedures
16 to ensure that animal pain and distress are minimized. The
17 Secretary shall require, at least annually, every research fa-
18 cility to show that the standards governing the care, treat-
19 ment, and use of animals, including appropriate use of anes-
20 thetic, analgesic, and tranquilizing drugs during experimenta-
21 tion, are being followed by the research facility during re-
22 search and experimentation.”.

23 (d) Subsection (a) of section 13 of the Animal Welfare
24 Act is amended by adding at the end thereof the following:

1 “(2)(A) The Secretary shall require that each research
2 facility establish an institutional animal studies committee
3 (hereinafter in this paragraph referred to as the ‘committee’)
4 composed of not fewer than three members. Such members
5 shall possess sufficient expertise to assess the appropriateness
6 of animal care and treatment in experimental research. Of
7 the members of the committee—

8 “(i) at least one member shall be a doctor of vet-
9 erinary medicine;

10 “(ii) at least one member shall not be affiliated
11 with the research facility and shall be primarily respon-
12 sible for representing community concerns regarding
13 the welfare of animal subjects (such member shall pro-
14 vide adequate assurances that he or she will not re-
15 lease any trade secrets or confidential information of
16 the research facility); and

17 “(iii) not more than three members, in those cases
18 where the committee consists of more than three mem-
19 bers, shall be from the same administrative unit of the
20 research facility.

21 “(B) Such committee shall—

22 “(i) meet regularly with a quorum for all formal
23 actions;

1 “(ii) make inspections at least semiannually of all
2 animal study areas and facilities of the research
3 facility;

4 “(iii) review as part of the inspection of the re-
5 search facility the research methods and practices in-
6 volving direct use of conscious animals and the condi-
7 tion of research animals for the purpose of evaluating
8 those research methods and practices to ensure that
9 animal pain and distress are minimized and to ensure
10 compliance with the standards for appropriate animal
11 care, treatment, and methodology; and

12 “(iv) file with the Secretary and with any Federal
13 agency from which the research facility is receiving an
14 award, a certification that such semiannual inspections
15 and reviews have taken place.

16 The inspection certification required by subparagraph (B)(iv)
17 shall include reports of any violations of standards promulgat-
18 ed by the Secretary, deficient conditions of animal care or
19 treatment, and deviations of research methods and practices
20 from originally approved proposals that adversely affect
21 animal welfare. Such inspection certification shall be signed
22 by a majority of the committee members. The committee
23 shall file complete records of their inspection certification
24 visits (including attendance of committee members) and other
25 information pertinent to its activities. Any minority views

1 shall be included in the certification records. Such records
2 shall be maintained for at least three years by the committee
3 or the research facility and available for inspection by any
4 appropriate Federal agency.

5 “(C) The committee shall notify the Animal and Plant
6 Health Inspection Service of the Department of Agriculture
7 and any Federal agency from which the research facility is
8 receiving an award, in writing, of any unacceptable condi-
9 tions of animal care, treatment, or methodology which have
10 not been included in the certification. The notification shall
11 be made only after the administrative representative of the
12 research facility has been notified by the committee of the
13 unacceptable conditions and the research facility is given an
14 opportunity to make such conditions acceptable.

15 “(D) The committee shall provide for annual sessions for
16 scientists, animal technicians, and other personnel involved
17 with animal care and treatment in research facilities, which
18 provide instruction or training in—

19 “(i) the humane practice of animal maintenance
20 and experimentation;

21 “(ii) the concept, availability, and use of research
22 or testing methods that minimize or eliminate the use
23 of animals or limit animal pain or distress; and

24 “(iii) utilization of the information service at the
25 National Agricultural Library established under subsec-

1 tion (e) to prevent unnecessary duplication of animal
2 experimentation by research facilities.

3 “(3) Research facilities shall inform their employees of
4 the provisions of this section and shall inform such employees
5 to report to the committee any violations of such provisions.
6 Employees of such facilities may not be discriminated against
7 because such employees reported any such violation.

8 “(4) The Secretary may waive the standards established
9 under this section under exceptional circumstances which are
10 related to the needs for research results or special and unusu-
11 al circumstances of the research facility.”.

12 (e) Section 13 of the Animal Welfare Act is amended by
13 adding at the end thereof the following:

14 “(e) The Secretary shall facilitate agency compliance
15 with the requirements of this section through the establish-
16 ment of an information service at the National Agricultural
17 Library. The National Agricultural Library shall, in coopera-
18 tion with the National Library of Medicine, provide informa-
19 tion on improved methods of animal experimentation includ-
20 ing methods which would—

21 “(1) reduce or replace animal use;

22 “(2) minimize pain and distress, such as anesthetic
23 and analgesic procedures; and

24 “(3) prevent unnecessary duplication of animal ex-
25 perimentation.

1 “(f)(1) A research facility shall provide a statement of
2 assurance of compliance with this section upon requesting a
3 Federal award for the conduct of research, experimentation,
4 or testing involving the use of animals to the Secretary of
5 Agriculture and to the Secretary of any Federal agency from
6 which such research facility is requesting such award.

7 “(2) No Federal agency may approve any research fa-
8 cility for the receipt of a Federal award for the conduct of
9 research, experimentation, or testing unless the agency finds,
10 as a result of its review of the scientific merit of the proposal,
11 that the award proposal includes—

12 “(A) in its justification of the research, the details
13 of any procedure likely to produce pain or distress in
14 an experimental animal and demonstrates that the
15 principal investigator has considered possible alterna-
16 tive methods to any such procedure;

17 “(B) in any case involving the direct use of con-
18 scious animals, appropriate assurances that a doctor of
19 veterinary medicine has been consulted in the planning
20 of such procedures;

21 “(C) in any case involving the direct use of con-
22 scious animals, assurances—

23 “(i) for the proper use of tranquilizers, anal-
24 gesics, and anesthetics;

1 “(ii) for appropriate presurgical and postsur-
2 gical medical and nursing care;

3 “(iii) against use of paralytics without ade-
4 quate anesthesia; and

5 “(iv) that the withholding of tranquilizers,
6 anesthesia, analgesia, or euthanasia when scientif-
7 ically necessary shall continue for only the neces-
8 sary period of time; and

9 “(D) except in cases of scientific necessity or
10 other special circumstances as determined by the
11 animal studies committee, assurances that no animal
12 may be used in more than one major operative proce-
13 dure from which it is allowed to recover.

14 “(g) The Secretary of Agriculture shall promulgate
15 standards for compliance with this section. In any case in
16 which the sponsoring Federal agency determines that condi-
17 tions of animal care, treatment, or methodology in a particu-
18 lar project have not been in compliance with applicable
19 standards, despite notification to the research facility, that
20 agency shall suspend or revoke Federal support for the
21 project. Any research facility losing Federal support as a
22 result of actions taken under the preceding sentence shall
23 have the right of appeal as provided in sections 701 through
24 706 of title 5, United States Code.”.

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EFFECTIVE DATE

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SEC. 5. This Act shall take effect one year after the

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date of enactment.

