

104TH CONGRESS
2D SESSION

H. R. 3398

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

IN THE HOUSE OF REPRESENTATIVES

MAY 7, 1996

Mr. CANADY of Florida (for himself, Mr. BROWN of California, Mr. DORNAN, Mr. HUTCHINSON, Mr. GOSS, Mr. MURTHA, and Mr. FOLEY) introduced the following bill; which was referred to the Committee on Agriculture

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 1996”.

6 **SEC. 2. AMENDMENTS.**

7 (a) SECTION 7.—Section 7 of the Animal Welfare Act
8 (7 U.S.C. 2137) is amended to read as follows:

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

3 “(a) USE OF CERTAIN DOGS AND CATS.—No re-
4 search facility or Federal research facility may use a dog
5 or cat for research or educational purposes if the dog or
6 cat was obtained from a person other than a person de-
7 scribed in subsection (c).

8 “(b) SELLING, DONATING, OR OFFERING DOGS AND
9 CATS.—No person, other than a person described in sub-
10 section (c), may sell, donate, or offer a dog or cat to any
11 research facility or Federal research facility.

12 “(c) PERMISSIBLE SOURCES.—Persons from whom a
13 research facility or a Federal research facility may obtain
14 a dog or cat for research or educational purposes under
15 subsection (a) and persons who may sell, donate, or offer
16 a dog or cat to a research facility or a Federal research
17 facility under subsection (b) are—

18 “(1) a dealer licensed under section 3 who has
19 bred and raised such 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 section
26 28 (b) and (c); and

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

3 “(3) a person who is donating such dog or cat
4 and who—

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

6 “(B) owned such 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; and

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

13 “(d) PENALTIES.—(1) Any person found to have vio-
14 lated subsection (b) shall pay \$1,000 for each violation.

15 “(2) Any penalty under this subsection shall be in
16 addition to any other applicable penalty and shall be im-
17 posed whether or not the Secretary imposes any other pen-
18 alty.

19 “(e) DEFINITION.—For purposes of this section the
20 term “person” includes any individual, partnership, firm,
21 joint stock company, corporation, association, trust, es-
22 tate, pound, shelter, or other legal entity.

23 “(f) CONSTRUCTION.—Nothing in this section may be
24 construed to require a pound or shelter to sell, donate,

1 or offer dogs or cats to research facilities or Federal re-
2 search facilities.”.

3 (b) SECTION 8.—Section 8 of the Animal Welfare Act
4 (7 U.S.C. 2138) is amended—

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

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

10 (3) by striking “purposes” and inserting in lieu
11 thereof “purpose”.

12 (c) SECTION 28.—Section 28(b)(1) of the Animal
13 Welfare Act (7 U.S.C. 2158(b)(1)) is amended by striking
14 “individual or entity” and inserting in lieu thereof “re-
15 search facility or Federal research facility”.

16 **SEC. 3. EFFECTIVE DATE.**

17 Section 2 shall take effect three months after the date
18 of the enactment of this Act.

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