

107TH CONGRESS  
2D SESSION

# H. R. 4039

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 HOUSE OF REPRESENTATIVES

MARCH 20, 2002

Mr. DOYLE (for himself, Mr. ALLEN, Mr. BERMAN, Mr. BLUMENAUER, Mr. BONIOR, Ms. BROWN of Florida, Mr. CAPUANO, Mr. COSTELLO, Mr. CUMMINGS, Mr. DEFazio, Mr. ENGLISH, Mr. FARR of California, Mr. HINCHEY, Mr. KILDEE, Mr. KLECZKA, Mr. KUCINICH, Ms. JACKSON-LEE of Texas, Mr. LYNCH, Mr. MCGOVERN, Ms. MCKINNEY, Mr. GEORGE MILLER of California, Mr. MORAN of Virginia, Mr. NEAL of Massachusetts, Mr. PALLONE, Ms. RIVERS, Mr. ROTHMAN, Mr. SAXTON, Mr. SHAYS, Mr. SMITH of New Jersey, Mr. STARK, Mr. UDALL of Colorado, Mr. WEXLER, and Ms. WOOLSEY) 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 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”.

1 **SEC. 2. AMENDMENTS.**

2 (a) SECTION 7.—Section 7 of the Animal Welfare Act  
3 (7 U.S.C. 2137) is amended to read as follows:

4 **“SEC. 7. SOURCES OF DOGS AND CATS FOR RESEARCH**  
5 **FACILITIES.**

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

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

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

21 “(1) a dealer licensed under section 3 who has  
22 bred and raised such dog or cat;

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

25 “(A) is registered with the Department of  
26 Agriculture;

1           “(B) is in compliance with section 28(a)(1)  
2           and with the requirements for dealers in section  
3           28(b) and (c); and

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

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

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

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

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

14           “(5) a Federal research facility licensed by the  
15           Department of Agriculture.

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

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

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

1       “(f) CONSTRUCTION.—Nothing in this section may be  
2 construed to require a pound or shelter to sell, donate,  
3 or offer dogs or cats to research facilities or Federal re-  
4 search facilities.”.

5       (b) SECTION 8.—Section 8 of the Animal Welfare Act  
6 (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 “purposes” and inserting “pur-  
12 pose”.

13       (c) SECTION 28.—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 shall take effect  
19 three months after the date of the enactment of this Act.

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