

109TH CONGRESS
2D SESSION

H. R. 5229

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

APRIL 27, 2006

Mr. ENGLISH of Pennsylvania (for himself, Mr. DOYLE, Mr. ACKERMAN, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. KILPATRICK of Michigan, Mr. CONYERS, Mr. DEFazio, Mr. DELAHUNT, Mr. EMANUEL, Mr. EVANS, Mr. FITZPATRICK of Pennsylvania, Mr. HINCHEY, Mrs. JOHNSON of Connecticut, Mrs. MCCARTHY, Mr. GEORGE MILLER of California, Mr. MORAN of Virginia, Mr. MURTHA, Mr. OLVER, Mr. PALLONE, Mr. PLATTS, Mr. ROTHMAN, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SHAYS, Mr. SIMMONS, Mr. SMITH of New Jersey, Mr. TOWNS, Mr. UDALL of Colorado, Mr. VAN HOLLEN, Mr. WELDON of Pennsylvania, Mr. BERMAN, Mr. BRADY of Pennsylvania, Mr. ISRAEL, Mr. SABO, and Ms. HART) 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 2005”.

1 **SEC. 2. PROTECTION OF PETS.**

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

5 **“SEC. 7. SOURCES OF DOGS AND CATS FOR RESEARCH FA-
6 CILITIES.**

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

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

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

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

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

3 “(2) a publicly owned and operated pound or
4 shelter that—

5 “(A) is registered with the Secretary;

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

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

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

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

14 “(B) owned the dog or cat for not less
15 than 1 year immediately preceding the dona-
16 tion;

17 “(4) a research facility licensed by the Sec-
18 retary; and

19 “(5) a Federal research facility licensed by the
20 Secretary.

21 “(e) PENALTIES.—

22 “(1) IN GENERAL.—A person that violates this
23 section shall be fined \$1,000 for each violation.

1 “(2) ADDITIONAL PENALTY.—A penalty under
2 this subsection shall be in addition to any other ap-
3 plicable penalty.

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

8 (b) FEDERAL RESEARCH FACILITIES.—Section 8 of
9 the Animal Welfare Act (7 U.S.C. 2138) is amended—
10 (1) by striking “Sec. 8. No department” and
11 inserting the following:

12 **“SEC. 8. FEDERAL RESEARCH FACILITIES.**

13 “Except as provided in section 7, no department”;

14 (2) by striking “research or experimentation
15 or”; and

16 (3) by striking “such purposes” and inserting
17 “that purpose”.

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

1 **SEC. 3. EFFECTIVE DATE.**

2 The amendments made by section 2 take effect on
3 the date that is 90 days after the date of enactment of
4 this Act.

