



CONGRESS PROPOSES 'PET SAFETY AND PROTECTION ACT OF 2009'

The Issue.

Legislation has been introduced in both the House and Senate to amend the Animal Welfare Act through the creation of the "Pet Safety and Protection Act of 2009". The same legislation was introduced in 2007, but no action was taken. The Act intends to regulate the manner in which research facilities obtain dogs and cats for research.

The Impact.

House Bill 3907 and Senate Bill 1834 state that a research facility or a Federal research facility, or any person selling, donating or offering a dog or cat to a research facility or a Federal research facility, may obtain a dog or cat for research or educational purposes from the following:

- a dealer licensed under section 3 that has bred and raised the dog or cat;
- a publicly owned and operated pound or shelter that (1) is registered with the Secretary, (2) in compliance with the Animal Welfare Act and (3) obtained the dog or cat from its legal owner, not a pound or shelter;
- a person that is donating the dog or cat and that bred and raised the dog or cat or owned the dog or cat for not less than one year immediately preceding the donation;
- a research facility licensed by the Secretary; and
- a Federal research facility licensed by the Secretary.

Anyone found in violation of this proposed legislation would be fined \$1,000 for each violation.

Recommended Action.

House Bill 3907 currently sits in the [House Committee on Agriculture](#), while Senate Bill 1834 is in the [Senate Committee on Agriculture, Nutrition and Forestry](#). Committee hearings have not been scheduled for either bill.

We urge you to read the bills in their entirety (complete text of the bills can be found attached to the online version of this PetAlert on the "Breaking News" page of the PIJAC website (www.pijac.org) and to contact the committee members with any inquiries. To easily contact members of both committees, as well as your own representative, visit PIJAC's [Legislative Action Center](#) on the PIJAC website (<http://www.pijac.org/governmentaffairs>) to learn how.

If you have any additional questions please feel free to contact PIJAC's Bambi Nicole Osborne via email at bambi@pijac.org or by phone at 202-452-1525.



**2009 US S 1834
(COMPANION TO:
H 3907)**

AUTHOR: Akaka
VERSION: Introduced
VERSION 10/21/2009
DATE:

111th CONGRESS

1st Session

S. 1834

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

IN THE SENATE OF THE UNITED STATES

October 21, 2009

Mr. AKAKA (for himself, Ms. COLLINS, Mr. LEVIN, Mr. LAUTENBERG, and Mr. MENENDEZ) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the 'Pet Safety and Protection Act of 2009'.

SEC. 2. PROTECTION OF PETS.

(a) Research Facilities- Section 7 of the Animal Welfare Act (7 U.S.C. 2137) is amended to read as follows:

'SEC. 7. SOURCES OF DOGS AND CATS FOR RESEARCH FACILITIES.

'(a) Definition of Person- In this section, the term 'person' means any individual, partnership, firm, joint stock company, corporation, association, trust, estate, pound, shelter, or other legal entity.

'(b) Use of Dogs and Cats- No research facility or Federal research facility may use a dog or cat for research or educational purposes if the dog or cat was obtained from a person other than a person described in subsection (d).

'(c) Selling, Donating, or Offering Dogs and Cats- No person, other than a person described in subsection (d), may sell, donate, or offer a dog or cat to any research facility or Federal research facility.

'(d) Permissible Sources- A person from whom a research facility or a Federal research facility may obtain a dog or cat for research or educational purposes under subsection (b), and a person who may sell, donate, or offer a dog or cat to a research facility or a Federal research facility under subsection (c), shall be--

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

`(2) a publicly owned and operated pound or shelter that--

`(A) is registered with the Secretary;

`(B) is in compliance with section 28(a)(1) and with the requirements for dealers in subsections (b) and (c) of section 28; and

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

`(3) a person that is donating the dog or cat and that--

`(A) bred and raised the dog or cat; or

`(B) owned the dog or cat for not less than 1 year immediately preceding the donation;

`(4) a research facility licensed by the Secretary; and

`(5) a Federal research facility licensed by the Secretary.

`(e) Penalties-

`(1) IN GENERAL- A person that violates this section shall be fined \$1,000 for each violation.

`(2) ADDITIONAL PENALTY- A penalty under this subsection shall be in addition to any other applicable penalty.

`(f) No Required Sale or Donation- Nothing in this section requires a pound or shelter to sell, donate, or offer a dog or cat to a research facility or Federal research facility.'

(b) Federal Research Facilities- Section 8 of the Animal Welfare Act (7 U.S.C. 2138) is amended--

(1) by striking `Sec. 8. No department' and inserting the following:

`SEC. 8. FEDERAL RESEARCH FACILITIES.

`Except as provided in section 7, no department';

(2) by striking `research or experimentation or'; and

(3) by striking `such purposes' and inserting `that purpose'.

(c) Certification- Section 28(b)(1) of the Animal Welfare Act (7 U.S.C. 2158(b)(1)) is amended by striking `individual or entity' and inserting `research facility or Federal research facility'.

SEC. 3. EFFECTIVE DATE.

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

2009 US H 3907
(COMPANION TO:
S 1834)

AUTHOR: Doyle
VERSION: Introduced
VERSION 10/22/2009
DATE:

111th CONGRESS

1st Session

H. R. 3907

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

October 22, 2009

Mr. DOYLE (for himself, Mr. SHERMAN, Ms. HIRONO, Mr. SMITH of New Jersey, Mrs. LOWEY, Ms. BERKLEY, Ms. ROYBAL-ALLARD, Mr. SHULER, Mr. KENNEDY, Mr. ABERCROMBIE, Mr. MCCOTTER, Mr. BARTLETT, Mr. LATOURETTE, Mr. ACKERMAN, Mr. OLVER, Mrs. CAPPS, Mrs. MALONEY, Mr. LOBIONDO, Mr. RANGEL, Mr. CASTLE, Ms. TSONGAS, Ms. SHEA-PORTER, Mr. ROTHMAN of New Jersey, Mr. PASCRELL, Mr. NADLER of New York, Mr. BROWN of South Carolina, Ms. DELAURO, Mr. LEWIS of Georgia, Mr. MORAN of Virginia, Mr. GALLEGLY, and Mr. YOUNG of Florida) introduced the following bill; which was referred to the Committee on Agriculture

A BILL

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Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

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`(a) Definition of Person- In this section, the term 'person' means any individual, partnership, firm, joint stock company, corporation, association, trust, estate, pound, shelter, or other legal entity.

`(b) Use of Dogs and Cats- No research facility or Federal research facility may use a dog or cat for research or educational purposes if the dog or cat was obtained from a person other than a person described in subsection (d).

`(c) Selling, Donating, or Offering Dogs and Cats- No person, other than a person described in subsection (d), may sell, donate, or offer a dog or cat to any research facility or Federal research facility.

`(d) Permissible Sources- A person from whom a research facility or a Federal research facility may obtain a dog or cat for research or educational purposes under subsection (b), and a person who may sell, donate, or offer a dog or cat to a research facility or a Federal research facility under subsection (c), shall be--

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