

116TH CONGRESS  
1ST SESSION

# S. 2322

To amend the Animal Welfare Act to allow for the retirement of certain animals used in Federal research.

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## IN THE SENATE OF THE UNITED STATES

JULY 30, 2019

Ms. COLLINS (for herself, Mr. PETERS, Ms. MCSALLY, and Mrs. SHAHEEN) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

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## A BILL

To amend the Animal Welfare Act to allow for the retirement of certain animals used in Federal research.

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 “Animal Freedom from  
5 Testing, Experiments, and Research Act of 2019” or the  
6 “AFTER Act of 2019”.

7 **SEC. 2. PLACEMENT OF ANIMALS USED IN FEDERAL RE-**  
8 **SEARCH.**

9 Section 14 of the Animal Welfare Act (7 U.S.C.  
10 2144) is amended to read as follows:

1 **“SEC. 14. STANDARDS FOR FEDERAL FACILITIES.**

2 “(a) DEFINITIONS.—In this section:

3 “(1) ANIMAL RESCUE ORGANIZATION.—The  
4 term ‘animal rescue organization’ means a nonprofit  
5 organization the purpose of which is to rescue cov-  
6 ered animals and find permanent adoptive homes for  
7 those animals.

8 “(2) ANIMAL SANCTUARY.—The term ‘animal  
9 sanctuary’ means a nonprofit organization that—

10 “(A) is registered with the Secretary;

11 “(B) operates a place of refuge in which—

12 “(i) a covered animal is provided care  
13 for the lifetime of the animal; and

14 “(ii) an unescorted public visitation of  
15 that animal is not permitted;

16 “(C) does not engage in commercial trade  
17 of covered animals;

18 “(D) does not breed covered animals;

19 “(E) does not permit direct contact be-  
20 tween the public and covered animals;

21 “(F) does not allow the use of a covered  
22 animal for performance or exhibition purposes;  
23 and

24 “(G) does not conduct or permit research  
25 on a covered animal other than noninvasive be-  
26 havioral research.

1           “(3) ANIMAL SHELTER.—The term ‘animal  
2       shelter’ means a facility that—

3           “(A) accepts or seizes covered animals—

4               “(i) to care for the animals;

5               “(ii) to place those animals in a per-  
6       manent adoptive home; or

7               “(iii) for purposes of law enforcement;  
8       and

9           “(B) does not—

10               “(i) engage in commercial trade of  
11       covered animals;

12               “(ii) breed covered animals;

13               “(iii) allow the use of a covered ani-  
14       mal for performance or exhibition pur-  
15       poses; or

16               “(iv) conduct or permit research on a  
17       covered animal other than noninvasive be-  
18       havioral research.

19           “(4) COVERED ANIMAL.—The term ‘covered  
20       animal’ means an animal that is unwanted, aban-  
21       doned, or otherwise in need of placement in a home.

22           “(5) NONPROFIT ORGANIZATION.—The term  
23       ‘nonprofit organization’ means an organization de-  
24       scribed in section 501(c)(3) of the Internal Revenue

1 Code of 1986 and exempt from taxation under sec-  
 2 tion 501(a) of that Code.

3 “(6) SUITABLE FOR RETIREMENT.—The term  
 4 “suitable for retirement” means, with respect to an  
 5 animal, that the animal has been evaluated by a li-  
 6 censed veterinarian and is determined to be mentally  
 7 and physically healthy.

8 “(b) LABORATORY ANIMAL FACILITIES AND EXHIBI-  
 9 TORS.—Any department, agency, or instrumentality of the  
 10 United States that operates laboratory animal facilities or  
 11 exhibits animals shall comply with the standards and other  
 12 requirements promulgated by the Secretary under sub-  
 13 sections (a), (f), (g), and (h) of section 13.

14 “(c) RETIREMENT.—

15 “(1) IN GENERAL.—Not later than 90 days  
 16 after the date of enactment of the AFTER Act of  
 17 2019, any department, agency, or instrumentality of  
 18 the United States operating a Federal research facil-  
 19 ity shall, after public notice and comment, promul-  
 20 gate regulations that, with respect to any animal of  
 21 the facility that is no longer needed for research and  
 22 determined to be suitable for retirement—

23 “(A) facilitate and encourage the adoption  
 24 of the animal by or placement of the animal  
 25 with an animal rescue organization, animal

1 sanctuary, animal shelter, or individual who in-  
2 tends to keep the animal as a pet; and

3 “(B) to the maximum extent practicable,  
4 collaborate with appropriate nonprofit organiza-  
5 tions to carry out subparagraph (A).

6 “(2) NATIONAL PLACEMENT.—The regulations  
7 promulgated to carry out paragraph (1)(A) shall in-  
8 clude consideration of placing animals with the enti-  
9 ties described in that subparagraph that are located  
10 beyond the immediate geographic vicinity of the  
11 Federal research facility at which the animal being  
12 retired is located.”.

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