

118TH CONGRESS
1ST SESSION

H. R. 2878

To require research facilities that use companion dogs, cats, or rabbits for research purposes and receive funding from the National Institutes of Health to offer such animals for adoption after completion of such research, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 26, 2023

Mr. CÁRDENAS (for himself, Mr. CALVERT, Mr. PAYNE, Ms. SÁNCHEZ, and Mr. POSEY) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To require research facilities that use companion dogs, cats, or rabbits for research purposes and receive funding from the National Institutes of Health to offer such animals for adoption after completion of such research, and for other purposes.

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 “Companion Animal Re-
5 lease from Experiments Act of 2023” or the “CARE Act
6 of 2023”.

1 **SEC. 2. FINDINGS.**

2 Congress the finds the following:

3 (1) The use of animals in research has been an
4 issue of public concern since the mid-20th century,
5 because animals used in research will, in most cases,
6 experience fear, pain, confinement, and premature
7 death.

8 (2) Section 495 of the Health Research Exten-
9 sion Act is the statutory basis for the public health
10 service policy of the Federal Government with re-
11 spect to humane care and use of laboratory animals.

12 (3) Currently, the public health service policy of
13 the Surgeon General does not cover the post re-
14 search treatment of such animals.

15 (4) Animals used in research include animals
16 commonly kept as companion animals by the public.

17 (5) More than 64,000 dogs, 18,000 cats, and
18 145,000 rabbits are used in experiments in the
19 United States each year and much of the research
20 is conducted at facilities that receive public funding
21 through the National Institutes of Health.

22 (6) Due to an absence of Federal requirements,
23 15 States have enacted laws governing the post re-
24 search placement for dogs and cats used in publicly
25 funded research institutions.

1 (7) A national requirement is needed to ensure
2 that research institutions that receive tax payer
3 funding establish adoption policies for companion
4 animals that are no longer used for research, includ-
5 ing finding such animals a home and adopting trans-
6 parent policies concerning the success of such re-
7 quirement.

8 **SEC. 3. OFFERING DOGS, CATS, OR RABBITS USED IN RE-**
9 **SEARCH FACILITIES FOR ADOPTION.**

10 (a) ADOPTION GUIDELINES FOR RESEARCH FACILI-
11 TIES.—Section 495(b)(3) of the Public Health Service Act
12 (42 U.S.C. 289d(b)(3)) is amended—

13 (1) by striking the “and” at the end of sub-
14 paragraph (B);

15 (2) by striking the period at the end of sub-
16 paragraph (C) and inserting a semicolon; and

17 (3) by inserting after subparagraph (C) the fol-
18 lowing:

19 “(D) develop and implement policies for the
20 adoption of dogs, cats, or rabbits no longer needed
21 for biomedical and behavioral research, including—

22 “(i) developing and making publicly avail-
23 able on the website of such research entity a
24 policy for offering for adoption a dog, cat, or

1 rabbit no longer needed for biomedical and be-
2 havioral research;

3 “(ii) assessing the health of such dog, cat,
4 or rabbit to determine whether such animal is
5 suitable for adoption; and

6 “(iii) making reasonable efforts to offer for
7 adoption any dog, cat, or rabbit deemed suit-
8 able for adoption, either through—

9 “(I) private placement;

10 “(II) an animal shelter; or

11 “(III) an animal adoption organiza-
12 tion; and

13 “(E) maintain records on dogs, cats, or rabbits
14 used by the research entity and make such records
15 publicly available on the website of such research en-
16 tity, including records on—

17 “(i) the number of dogs, cats, or rabbits
18 used for research;

19 “(ii) the number of dogs, cats, or rabbits
20 placed for adoption through private placement,
21 animal shelter, or through an animal adoption
22 organization; and

23 “(iii) the number of dogs, cats, or rabbits
24 destroyed.”.

1 (b) IMMUNITY AND ANIMAL ADOPTION ORGANIZA-
2 TION DEFINED.—Section 495 of the Public Health Serv-
3 ice Act (42 U.S.C. 289d) is amended by adding at the
4 end the following:

5 “(f) IMMUNITY.—A research facility that places a
6 dog, cat, or rabbit for adoption consistent with the policies
7 under subsection (b)(3)(D) is immune from any civil liabil-
8 ity in any Federal or State judicial or administrative pro-
9 ceeding arising out of any act or omission with respect
10 to such dog, cat, or rabbit following the adoption of such
11 dog, cat, or rabbit, except for willful or wanton mis-
12 conduct.

13 “(g) DEFINITIONS.—For purposes of this section, the
14 following terms apply:

15 “(1) ANIMAL ADOPTION ORGANIZATION.—The
16 term ‘animal adoption organization’ means an orga-
17 nization that—

18 “(A) rescues animals in need and finds
19 permanent, adoptive homes for such animals;

20 “(B) is described in section 501(c)(3) of
21 the Internal Revenue Code of 1986; and

22 “(C) is exempt from tax under section
23 501(a) of such Code.

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

1 “(A) accepts or seizes animals to care for
2 such animals; and

3 “(B) places such animals in a permanent
4 adoptive home.

5 “(3) PRIVATE PLACEMENT.—The term ‘private
6 placement’ means an arrangement between the re-
7 search entity and an individual seeking to provide a
8 permanent adoptive home for the animal pursuant to
9 the adoption policy of such entity.”.

10 (c) EFFECTIVE DATE.—The amendments made by
11 this Act shall take effect 1 year after the date of the enact-
12 ment of this Act.

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