H.R. 2897/S. 2322

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

“To amend the Animal Welfare Act to allow for the adoption or non-laboratory placement of certain animals used in Federal research, and for other purposes.”

INTRODUCTION

- Introduced in the House as H.R. 2897 on 05/22/2019 by Rep. Brendan Boyle (D-PA) and currently has 40 cosponsors, of which 34 are Democrats and 6 are Republicans. Full cosponsor list can be viewed here: https://www.congress.gov/bill/116th-congress/house-bill/2897/cosponsors.
- Referred to the House Committee on Agriculture and the Subcommittee on Livestock and Foreign Agriculture on 06/21/2019.
- Referred to the Senate Committee on Agriculture, Nutrition, and Forestry on the same day as introduction.
- Supporters of the legislation seek to require laboratory animal research to adopt out or find non-laboratory placement for suitable animals.
- Likely inspired by the success of adoption bills at the state level.

BILL SUMMARY

- AFTER Act would amend Section 14 of the Animal Welfare Act (7 U.S.C. 2144) to include a section about adoption. The section reads as follows: “Adoption And Non-Laboratory Placement.—Any department, agency, or instrumentality of the United States operating as a Federal research facility shall, not later than 90 days after the date of the enactment of this subsection, promulgate standards and other requirements that, in the determination of the department, agency, or instrumentality, facilitates the adoption or non-laboratory placement of any animal of the facility no longer needed for research and determined to be suitable for release to an animal rescue organization, animal sanctuary, animal shelter, or individual.”
The bill defines an Animal Rescue Organization as an organization, “described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code” and “with the purpose of rescuing animals that are unwanted, abandoned, or otherwise in need of placement and finding permanent adoptive homes for such animals.”

The bill defines an Animal Sanctuary as an organization, “described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code that is registered with the Secretary; operates a place of refuge where an unwanted, displaced, or retired animal is provided care for the lifetime of such animal; and where an unescorted public visitation of such an animal is not permitted.”

As defined in the bill an Animal Sanctuary is prohibited from engaging in commercial animal trade, breeding, or allowing any contact between the public and the animals, to include performance or exhibition. Sanctuaries are also prohibited from conducting any research that causes pain or distress.

The bill defines an Animal Shelter as a, “facility that accepts or seizes animals to care for such animals, place such animals in a permanent adoptive home, or carry out law enforcement purposes.”

And that is the totality of the bill. It requires adoption but does not proscribe the who, what, where, when and how. It leaves these policies up to the institutions while also defining an Animal Rescue Organization, Animal Sanctuary, and Animal Shelter.

**IMPLICATIONS**

- This bill would apply to all AWA-covered species and mandate that research laboratories have written adoption policies for those species.
- When compared to mandatory adoption bills at the state level, the AFTER Act is relatively mild. It does not instruct research institutions as to the methods or authority for adoptions, only that an institution must have a policy that applies to all AWA-covered species.
- Does not apply to rats, mice, and birds as they are exempt from AWA.
- The AFTER Act does allow for individual adoption. The AFTER Act DOES NOT have any civil liability protection, which may be an issue for some institutions.
- Ultimately, the AFTER Act is superfluous and unnecessary. It proscribes what the vast majority of institutions already do. However, it also does not state anything that NABR does not currently advise our members; that is, have a formal, written adoption policy and to strongly vet any individuals or organizations whom animals are adopted to.
- NABR is currently neutral on the AFTER Act and monitoring the legislation for any amendments.