

PLANNING FOR ANIMAL WELLNESS ACT

R E P O R T

OF THE

COMMITTEE ON HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS
UNITED STATES SENATE

TO ACCOMPANY

S. 4205

TO REQUIRE THE ADMINISTRATOR OF THE FEDERAL
EMERGENCY MANAGEMENT AGENCY TO ESTABLISH A WORKING
GROUP RELATING TO BEST PRACTICES AND FEDERAL
GUIDANCE FOR ANIMALS IN EMERGENCIES AND DISASTERS, AND
FOR OTHER PURPOSES



AUGUST 3, 2022.—Ordered to be printed

U.S. GOVERNMENT PUBLISHING OFFICE

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Calendar No. 466

117TH CONGRESS }
2d Session }

SENATE

{ REPORT
{ 117-140

PLANNING FOR ANIMAL WELLNESS ACT

AUGUST 3, 2022.—Ordered to be printed

Mr. PETERS, from the Committee on Homeland Security and
Governmental Affairs, submitted the following

R E P O R T

[To accompany S. 4205]

[Including cost estimate of the Congressional Budget Office]

The Committee on Homeland Security and Governmental Affairs, to which was referred the bill (S. 4205) to require the Administrator of the Federal Emergency Management Agency to establish a working group relating to best practices and Federal guidance for animals in emergencies and disasters, and for other purposes, having considered the same, reports favorably thereon with an amendment in the nature of a substitute and recommends that the bill, as amended, do pass.

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I. PURPOSE AND SUMMARY

S. 4205, the *Planning for Animal Wellness (PAW) Act*, requires the Administrator of the Federal Emergency Management Agency (FEMA) to establish an advisory group to foster collaborative efforts among individuals and entities working to address the needs of animals in disaster preparedness, response, and recovery. The working group will review current best practices and federal guidance on congregate and noncongregate sheltering and evacuation planning for household pets, service and assistance animals, and

captive animals during emergency and disaster events. The bill requires FEMA to publish updated guidance if it finds that current federal guidance does not match best practices. FEMA is required to consult with the advisory group in determining whether current guidance meets best practices and in publishing updated guidance.

II. BACKGROUND AND NEED FOR THE LEGISLATION

The important role that animals play in our society—from cadaver dogs to therapy horses and from service animals to pets and livestock—is a neglected piece of the emergency management puzzle. One study of Hurricane Katrina survivors showed that 44 percent of those who declined to evacuate did so because they did not want to leave behind their pets.¹ By contrast, the same study showed that only 18 percent of non-evacuees cited not wanting to leave behind their family.² The amount of money Americans invest in their pets shows that domestic animals are treated as family. In 2021, Americans spent almost \$124 billion on their pets.³ From an agricultural and economic perspective, a disaster’s effect on livestock could impact the country’s food supply. For example, in North Carolina, millions of livestock died after Hurricane Florence hit the state.⁴

When disaster strikes, provisions must be made for animals, such as food, water, medications, and identification. However the same preparations will not apply to all animals.⁵ Large animals such as cows and horses may need to be evacuated from disaster areas, or left in secured barns if evacuation is not possible, and the Department of Agriculture provides further considerations for animals in the custody of zoos, aquariums, and research and teaching institutions.⁶

This legislation will bring together outside experts with various competencies, including veterinary science and state and local government, to assess and propose guidelines for securing and recovering animals during emergencies and disasters. The working group’s recommendations will ensure that first responders can keep every member of affected families, including animals, safe. By leveraging the knowledge and perspectives of the multiple experts who comprise the working group, FEMA and other federal agencies will be better prepared to protect animals in disasters based on their specific needs and circumstances.

¹Fritz Institute, *Hurricane Katrina: Perceptions of the Affected* (2006) (http://beta.fritzinstitute.org/PDFs/findings/HurricaneKatrina_Perceptions.pdf).

²*Id.*

³American Pet Products Association, *Pet Industry Market Size, Trends, & Ownership Statistics* (https://www.americanpetproducts.org/press_industrytrends.asp) (Accessed June 10, 2022).

⁴Shane Croucher, *Hurricane Florence: Animal Death Toll Reaches Millions in North Carolina*, *Newsweek*, Sept. 19, 2018 (<https://www.newsweek.com/hurricane-florence-death-toll-animals-livestock-north-carolina-1127919>).

⁵American Veterinary Medical Association, *Large Animals and Livestock in Disasters* (<https://www.avma.org/resources/pet-owners/emergencycare/large-animals-and-livestock-disasters>) (Accessed June 10, 2022) (“There are unique considerations for horses and other livestock during a disaster”); Department of Agriculture, *Preparedness Fact Sheet: Do You Have a Plan for Your Livestock Should Disaster Strike?* (Oct. 2016) (“How best to protect your livestock and farm animals in extreme weather will depend on the size of your herds, what type of animals you have and how extreme the weather actually gets.”)

⁶Department of Homeland Security, Ready.gov, *Prepare Your Pets for Disasters* (<https://www.ready.gov>) (Accessed June 10, 2022); Department of Agriculture, National Agriculture Library, *Disaster Planning with Animals* (<https://www.nal.usda.gov/animal-health-and-welfare/disaster-planning-animals>) (Accessed June 10, 2022).

III. LEGISLATIVE HISTORY

Chairman Gary Peters (D–MI) introduced S. 4205, the *PAW Act*, on May 12, 2022, with Ranking Member Rob Portman (R–OH). The bill was referred to the Committee on Homeland Security and Governmental Affairs. Senator Rick Scott (R–FL) joined as a cosponsor on May 24, 2022.

The Committee considered S. 4205 at a business meeting on May 25, 2022. During the business meeting, a substitute amendment was offered by Chairman Peters that imposes a four-year sunset on the working group, unless the FEMA Administrator chooses to continue it, and clarifies that members of the advisory working group are serving on a voluntary basis. The substitute amendment was adopted *en bloc* by voice vote with Senators Peters, Hassan, Sinema, Rosen, Padilla, Ossoff, Portman, Lankford, Romney, Scott, and Hawley present for the vote.

The Committee ordered the bill, as amended, reported favorably by voice vote *en bloc* with Senators Peters, Hassan, Sinema, Rosen, Padilla, Ossoff, Portman, Lankford, Romney, Scott, and Hawley present for the vote. Senator Hawley was recorded as voting “no.”

IV. SECTION-BY-SECTION ANALYSIS OF THE BILL, AS REPORTED

Section 1. Short title

This section designates the name of the bill as the “*Planning for Animal Wellness Act*” or the “*PAW Act*.”

Section 2. Working group guidelines

Subsection (a) of this section defines the terms “Administrator” and “Working Group.”

Subsection (b) requires the FEMA Administrator to establish the working group within 180 days of the bill’s enactment.

Subsection (c) lists the membership to be included in the working group.

Subsection (d) outlines the duties of the working group, which are to encourage and foster collaborative efforts among individuals and entities working to address the needs of household pets, service and assistance animals, and captive animals in emergency and disaster preparedness, response, and recovery. It also requires the working group to review best practices and federal guidance on congregate and noncongregate sheltering and evacuation planning of animals in the event of emergencies and disasters.

Subsection (e) clarifies that members of the working group serve on a voluntary basis.

Subsection (f) sets a one-year deadline after the enactment of this legislation for the working group’s determination of the sufficiency of the federal government’s current animal emergency management practices.

Subsection (g) requires the FEMA Administrator and the working group to update the federal guidelines, if needed, no later than 540 days after enactment.

Subsection (h) requires the working group to terminate four years after the enactment of this legislation unless the FEMA Administrator determines an extension is appropriate.

V. EVALUATION OF REGULATORY IMPACT

Pursuant to the requirements of paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee has considered the regulatory impact of this bill and determined that the bill will have no regulatory impact within the meaning of the rules. The Committee agrees with the Congressional Budget Office's statement that the bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.

VI. CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 28, 2022.

Hon. GARY PETERS,
Chairman, Committee on Homeland Security and Governmental Affairs, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 4205, the PAW Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Madeleine Fox.

Sincerely,

PHILLIP L. SWAGEL,
Director.

Enclosure.

S. 4205, PAW Act			
As ordered reported by the Senate Committee on Homeland Security and Governmental Affairs on May 25, 2022			
By Fiscal Year, Millions of Dollars	2022	2022-2027	2022-2032
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	0	*	not estimated
Statutory pay-as-you-go procedures apply?	No	Mandate Effects	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2033?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No
* = between zero and \$500,000.			

S. 4205 would require the Federal Emergency Management Agency (FEMA) to establish an advisory working group to address the needs of household pets, service animals, and captive animals during emergency and disaster situations. Within one year, the working group would evaluate whether current federal guidance is meeting the needs of animals during those situations. If they find that the current guidance is insufficient, FEMA, in conjunction

with the working group, would need to update and publish the revised guidance within three years. The working group would sunset after four years and members would serve without pay.

Based on the costs of similar working groups, CBO estimates that implementing S. 4205 would cost less than \$500,000 over the 2022–2027 period; any spending would be subject to the availability of appropriated funds.

The CBO staff contact for this estimate is Madeleine Fox. The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.

VII. CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

This legislation would make no change in existing law, within the meaning of clauses (a) and (b) of subparagraph 12 of rule XXVI of the Standing Rules of the Senate, because this legislation would not repeal or amend any provision of current law.