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REPORT ON LEGISLATION

H. R. 3858

Representative Tom Lantos (D – CA)

To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to ensure that State and local emergency preparedness operational plans address the needs of individuals with household pets and service animals following a major disaster or emergency.

THIS BILL IS APPROVED

The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5196b) (“Stafford Act”) provides the Federal Emergency Management Agency Director with the authority to make financial contributions to the States to help pay for State and local emergency preparedness on the basis of approved plans. Such approved plans must be consistent with Federal emergency response plans and must meet various additional requirements. This bill, known as the Pet Evacuation and Transportation Standards Act (“PETS Act”) seeks to amend the Stafford Act by including a provision that requires the Director, in approving standards for State and local emergency preparedness operational plans pursuant to the Stafford Act, to ensure that such plans take into account the needs of individuals with household pets and service animals following a major disaster or emergency.

Would-be rescuers have watched in amazement time and again after Hurricane Katrina as pet owners refused to budge from flooded homes without a dog or a cat. *Reuters* 9/8/05. Various governmental representatives have responded to this issue. For example, Congressional representative Tom Lantos of California stated, "I cannot help but wonder how many more people could have been saved had they been able to take their pets." *New York Times* 9/22/05. He also stated, "The losses of life and property were simply staggering, and on top of all that, the sight of evacuees choosing between being rescued or remaining with their pets, perhaps even having to leave behind the trained and faithful helping animals that some people with disabilities

rely on every day, was just heartbreaking." *San Francisco Chronicle* 9/23/05. New Orleans resident Melvin Johnson said, "They're going to drag me kicking and screaming unless they take my dogs." *New York Daily News* 9/5/05. A New Orleans resident with a dog stated, "We swam out together and she didn't give up on me and I'm not giving up on her." *New York Times* 9/8/05. The *Mobile Register* reported on the results of a survey conducted by Sebastian Heath, a veterinarian who has worked with FEMA on animal issues, after a California flood. He stated, "Owning pets appeared to be the most significant reason why households without children failed to evacuate. In these childless households, pet owners were apparently willing to jeopardize their lives to stay with their pets" *Mobile Register* 10/2/05. During the October 6th 2005 Congressional hearing on the FEMA hurricane response, Representative James L. Oberstar of Minnesota stated, "Time and again we heard the stories of people who wouldn't leave their homes because they didn't know what would happen to their pets. They weren't assured they would be taken care of. We should deal with that. People should not be forced to stay behind to take care of a pet."

As people are aware, during the Hurricane Katrina evacuation, many people left companion animals behind. Many of these animals were left to fend for themselves with inadequate clean water, food, protection from heat, or shelter. The *Chicago Tribune* reported heartbreaking stories of people being pressured to leave pets behind. Thousands of signatures have been collected demanding that evacuation orders include pets. *Chicago Tribune* 9/10/05. The news media exposed the abandonment of these animals and revealed the policies of relief organizations that did not consider it their mission to provide for these animals. For example, a *Reuters* article reported that many of the shelters that housed displaced New Orleans residents prohibited pets. This hard line stymied the rescue effort in New Orleans. *Reuters* 9/8/05.

Animal welfare groups then tried to rescue as many of these animals as they could, to reunite them with their people if possible, or to settle them into new homes if necessary. Working with local animal shelters and government offices, animal welfare groups sent teams to help save pets from the danger zone and reunite them with their owners.

A report prepared by the Animal Legal Defense Fund (*Responding to Katrina*, at ALDF.org) found "no laws, rules or regulations that require any agency or any person to rescue animals, no matter if on private or public property, as part of a coordinated emergency response." It did find that "[s]ome states are considering the rescue of animals as part of their disaster planning."

As hurricane Wilma approached Florida, Governor Jeb Bush stated on the NBC nightly news on 10/19/05 that "we have pet shelters now because we heard from a lot of our citizens that they would not be leaving without their pets" And the next day it was reported that some Florida shelters were being opened that accept pets. *St. Petersburg Times* 10/20/05.

Provision for including companion animals and service animals in the evacuation plans established by State and local governments will help to coordinate animal evacuation with human evacuation, provide for a clear understanding of the lines of authority under which animal rescue groups may operate and provide an opportunity to establish rules for the response of the varied animal protection agencies that will carry out the myriad tasks involved in disaster response. This is sure to result in the saving of many lives of companion animals and service animals during future disasters and save many human beings the psychological trauma of either being unable to save their animals lives or having to abandon their animals as a condition of their own survival.