

117TH CONGRESS  
1ST SESSION

# H. R. 1442

To amend the Animal Welfare Act to require that covered persons develop and implement emergency contingency plans.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 26, 2021

Ms. TITUS (for herself, Mr. RODNEY DAVIS of Illinois, Mr. ALLRED, Mrs. AXNE, Ms. BARRAGÁN, Mrs. BEATTY, Mr. BEYER, Mr. BISHOP of Georgia, Mr. BLUMENAUER, Ms. BLUNT ROCHESTER, Ms. BONAMICI, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. BROWN, Ms. BROWNLEY, Mr. BUCHANAN, Mrs. BUSTOS, Mr. CARBAJAL, Mr. CARSON, Mr. CARTWRIGHT, Mr. CASTEN, Ms. CHU, Mr. CICILLINE, Mr. COHEN, Mr. CONNOLLY, Mr. COOPER, Mr. CROW, Ms. DEAN, Ms. DEGETTE, Mr. DEFazio, Ms. DELBENE, Mr. DELGADO, Mrs. DEMINGS, Mr. DEUTCH, Mrs. DINGELL, Mr. MICHAEL F. DOYLE of Pennsylvania, Ms. ESCOBAR, Mr. FITZPATRICK, Mr. FOSTER, Ms. LOIS FRANKEL of Florida, Mr. GALLEGRO, Mr. GARCÍA of Illinois, Mr. VICENTE GONZALEZ of Texas, Mr. GOTTHEIMER, Mr. HASTINGS, Ms. NORTON, Ms. HOULAHAN, Ms. JACOBS of California, Ms. JAYAPAL, Mr. JOHNSON of Georgia, Mr. JONES, Mr. KEATING, Mr. KIM of New Jersey, Mrs. KIRKPATRICK, Mr. KRISHNAMOORTHY, Ms. KUSTER, Mr. LANGEVIN, Ms. LEE of California, Mr. LEVIN of Michigan, Mr. LEVIN of California, Mr. LIEU, Mr. LOWENTHAL, Mr. LYNCH, Ms. MACE, Mr. MALINOWSKI, Mrs. CAROLYN B. MALONEY of New York, Mr. SEAN PATRICK MALONEY of New York, Ms. MANNING, Mr. MAST, Ms. MCCOLLUM, Mr. MEEKS, Ms. MENG, Mr. MORELLE, Mrs. MURPHY of Florida, Mr. NADLER, Mr. NEAL, Mr. NEGUSE, Mr. O'HALLERAN, Mr. PALLONE, Mr. PANETTA, Mr. PAPPAS, Mr. PAYNE, Mr. PERLMUTTER, Mr. PETERS, Ms. PINGREE, Mr. POCAN, Ms. PRESSLEY, Mr. PRICE of North Carolina, Mr. QUIGLEY, Mr. RASKIN, Miss RICE of New York, Ms. ROYBAL-ALLARD, Ms. SÁNCHEZ, Ms. SCANLON, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SCHNEIDER, Mr. SCHRADER, Mr. SCOTT of Virginia, Mr. SHERMAN, Ms. SHERRILL, Mr. SIRES, Mr. SMITH of Washington, Mr. STANTON, Ms. STEVENS, Ms. STRICKLAND, Mr. SUOZZI, Mr. SWALWELL, Ms. TENNEY, Ms. TLAIB, Mr. TONKO, Mrs. TORRES of California, Mrs. TRAHAN, Ms. UNDERWOOD, Mr. VAN DREW, Mr. VARGAS, Mr. VEASEY, Ms. VELÁZQUEZ, Ms. WASSERMAN SCHULTZ, Mr. WELCH, Ms. WILD, and Mr. YARMUTH) introduced the following bill; which was referred to the Committee on Agriculture

# A BILL

To amend the Animal Welfare Act to require that covered persons develop and implement emergency contingency plans.

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 “Providing Responsible  
5 Emergency Plans for Animals at Risk of Emerging Disas-  
6 ters Act” or the “PREPARED Act”.

7 **SEC. 2. FINDINGS.**

8        Congress makes the following findings:

9            (1) Recent natural and man-made disasters  
10        have highlighted the need for planning to minimize  
11        the impact of disasters.

12            (2) Lack of preparedness in times of disaster  
13        can have especially devastating effects on animals  
14        and the people who risk their lives to protect them.

15            (3) Local first-responders, nongovernmental  
16        agencies, and private individuals most often shoulder  
17        the cost and responsibility of animals affected by  
18        disasters.

19            (4) It is reasonable to ask those who use ani-  
20        mals commercially to demonstrate a level of readi-  
21        ness to protect the animals under their care.

1 **SEC. 3. REQUIREMENT THAT COVERED ENTITIES DEVELOP**  
2 **AND IMPLEMENT EMERGENCY CONTINGENCY**  
3 **PLANS.**

4 (a) IN GENERAL.—The Animal Welfare Act (7  
5 U.S.C. 2131 et seq.) is amended by adding at the end  
6 the following:

7 **“SEC. 30. ANIMAL EMERGENCY PLANNING.**

8 “(a) COVERED PERSON.—For purposes of this sec-  
9 tion, the term ‘covered person’ means a research facility,  
10 dealer, exhibitor, intermediate handler, carrier, or Federal  
11 research facility.

12 “(b) CONTINGENCY PLAN.—Each covered person  
13 shall develop, document, and follow a contingency plan to  
14 provide for the humane handling, treatment, transpor-  
15 tation, housing, and care of its animals in the event of  
16 an emergency or disaster. Such a contingency plan shall—

17 “(1) identify situations that the covered person  
18 might experience, including natural disasters and  
19 emergencies such as electrical outages, faulty HVAC  
20 systems, fires, mechanical breakdowns, and animal  
21 escapes, that would trigger the need for the meas-  
22 ures identified in the contingency plan to be put into  
23 action;

24 “(2) outline specific tasks to be carried out in  
25 response to the identified emergencies or disasters,  
26 including detailed animal evacuation or shelter-in-

1 place instructions and provisions for providing  
2 backup sources of food and water as well as sanita-  
3 tion, ventilation, bedding, and veterinary care;

4 “(3) establish a chain of command and identify  
5 the individuals responsible for fulfilling the tasks de-  
6 scribed in paragraph (2); and

7 “(4) address how response and recovery will be  
8 handled in terms of materials, resources, and train-  
9 ing needed.

10 “(c) ANNUAL REVIEW.—Each covered person shall—

11 “(1) review its contingency plan on at least an  
12 annual basis to ensure that it adequately addresses  
13 the criteria described in subsection (b); and

14 “(2) maintain documentation of the annual re-  
15 views and any amendments or changes made to its  
16 contingency plan since the previous year’s review.

17 “(d) TRAINING.—Each covered person shall—

18 “(1) train its personnel in their roles and re-  
19 sponsibilities as outlined in the contingency plan;

20 “(2) communicate any changes in the contin-  
21 gency plan to personnel through training within 30  
22 days after making the changes; and

23 “(3) maintain documentation of its personnel’s  
24 participation in and successful completion of the  
25 training required by this subsection.

1 “(e) AVAILABILITY OF DOCUMENTATION.—

2 “(1) IN GENERAL.—Each covered person shall  
3 submit its contingency plan, as well as any docu-  
4 mentation described in subsections (c)(2) and (d)(3),  
5 to the Secretary annually.

6 “(2) WHILE TRAVELING.—A covered person en-  
7 gaged in travel must carry a copy of its contingency  
8 plan with it at all times and make it available for  
9 inspection by the Secretary while in travel status.”.

10 (b) REGULATIONS.—

11 (1) IN GENERAL.—Not later than 30 days after  
12 the date of enactment of this Act, the Secretary of  
13 Agriculture of the United States shall promulgate  
14 such regulations as the Secretary determines to be  
15 necessary to carry out section 30 of the Animal Wel-  
16 fare Act, as added by subsection (a) of this Act.

17 (2) APPLICABILITY OF APA.—The regulations  
18 described in paragraph (1) shall be made without re-  
19 gard to the rulemaking procedures under section  
20 553 of title 5, United States Code.

21 (c) NO PREEMPTION.—Nothing in this Act or the  
22 amendments made by this Act preempts any law (includ-  
23 ing a regulation) of a State, or a political subdivision of  
24 a State, containing requirements that provide equivalent

1 or greater protection for animals than the requirements  
2 of this Act or the amendments made by this Act.

3 (d) EFFECTIVE DATE.—The amendments made by  
4 subsection (a) shall apply to covered persons (as defined  
5 in such subsection) beginning on the date that is 30 days  
6 after the date of enactment of this Act.

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