

FEMA National Advisory Council Planning for Animal Wellness Subcommittee Update



FEMA

June 26, 2024 | Virtual

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Wednesday, June 26, 2024

Participants

NAC Members	Attendance
Carrie Speranza, Chair	Yes
Donald Bliss, Vice Chair	Yes
Michael Antoine, Secretary	Yes
Kathy Baughman McLeod	Yes
Brenda Bergeron	Yes
Chad Berginnis	No
Michael Berkowitz	Yes
Christopher Blanco	Yes
Honorable Jill Boudreau	Yes
Chloe Demrovsky	Yes
Jody Ferguson	Yes
Karl Fippinger	Yes
Tim Gleason	Yes
Tonya Graham	Yes
Jonathan Greene	No
Lori Hodges	Yes
Thomas Jenkins	Yes
Justin Kates	Yes
Misti Kill	Yes
Ramesh Kolluru	No
Ryan Lanclos	Yes
Lorie Liebrock	Yes
Michael Méndez	No
Kelly McKinney	Yes
Thomas Munoz	No
Paula Pagniez	No
Brittany Perkins Castillo	Yes
Andrew Phelps	Yes
Jim Redick	Yes
William "Brad" Richy	Yes
Salvatore Scarpa	Yes
Honorable Frank Scott	No
Carol Salas Pagán	No
Seth Statler	No
Brian Strong	Yes
Tafaimamao "Tafa" Tua-Tupuola	Yes
David Thomson	Yes
Michael P. Williams, Sr.	Yes
Jiqui "JQ" Yuan	Yes
FEMA Participants	
Sara Andresen, Office of the National Advisory Council	
Manuel Barrios, Office of Response and Recovery	

Victoria Boger, Office of the National Advisory Council
Sarah Egan, Office of Response and Recovery
Dawn Essenmacher, Office of Policy and Program Analysis
Stephanie Everfield
Luke Ferren, Office of the National Advisory Council
Matthew Holubecki, Office of Response and Recovery
Marlene MJ Johnson-Moore, Office of Equal Rights
Liana Kang
Rob Long, Office of the National Advisory Council
Urja Patel, Office of the National Advisory Council
Elie Peltz, Office of Chief Counsel
Ray Shin, Office of Chief Counsel
Non-FEMA Non-NAC
Kevin Dennison, PAW Subcommittee
Warren Hess, PAW Subcommittee
Michael Neault, PAW Subcommittee
Melissa Miller, PAW Subcommittee
Roxana Petzold, PAW Subcommittee
Eric Thompson, PAW Subcommittee
Cadmus Group, FEMA Contract Support
Nancy Blaney, Animal Welfare Institute
Larry Bleich, American Red Cross
Sophia Bremer, Tufts University Center for Animals & Public Policy
Brynae Riggins, American Society for the Prevention of Cruelty to Animals
Leah Romero, Source New Mexico
Speakers
Kelly McKinney, Chair, PAW Subcommittee
Eric Thompson, PAW Subcommittee

Summary

During the June 26, 2024, National Advisory Council (NAC) meeting, Rob Long, Designated Federal Officer (DFO), provided opening remarks and reviewed the agenda. NAC Member and Planning for Animal Wellness (PAW) Subcommittee Chair Kelly McKinney reviewed the [PAW Act](#) requirements, and the Subcommittee's progress on meeting those requirements. Following the overview, PAW Subcommittee Chair Kelly McKinney and PAW Subcommittee Member Eric Thompson reviewed the justification statements that support the PAW Subcommittee's recommendation. The PAW Subcommittee's recommendation stated that current federal guidance and best practices on congregate and non-congregate sheltering, as it relates to household pets, service and assistance animals, and captive animals, as appropriate, is insufficient and that the PAW Subcommittee should move forward with Section 2(g) of the PAW Act, to provide recommendations on updating current FEMA guidance and best practices. The NAC held a question-and-answer session and deliberation, followed by the public comment period. After the public comment period, the NAC moved to vote on the recommendation from the PAW Subcommittee. The NAC members voted unanimously in favor of the PAW Subcommittee's recommendation and adjourned the meeting. Below is a transcript of the meeting.

Welcome and Opening Remarks

Rob Long: Welcome. The Administrator sent an email that called for today's meeting. Today's meeting is for the second charge of the PAW Subcommittee where they will present their recommendation to the NAC, then the NAC will vote on their recommendation. There will be an opportunity for public comments and a NAC question-and-answer session. Now I will turn it over to the PAW Subcommittee Chair Kelly McKinney.

Kelly McKinney: Thank you, Rob, and welcome NAC and PAW Subcommittee Members. We are here today to discuss the important issue of people and their animals. I recently read an article from the Washington Post that talks about how a pet death can feel worse than a human death. The issue of animals is not just an emergency management issue, it is also an existential issue.

PAW Subcommittee Overview

Kelly McKinney: The PAW Act, Pub. L. 117-212, was signed into law on October 17, 2022. The Act requires FEMA to create a working group to review best practices and federal guidance, as of the date of enactment of this Act, on congregate and non-congregate sheltering and evacuation planning, as it relates to the needs of household pets, service and assistance animals, and captive animals, as appropriate, in emergency and disaster preparedness, response, and recovery. The PAW Subcommittee's charges, as outlined in the PAW Act, are:

- Encourage and foster collaboration among individuals and entities working to address the needs of household pets, service and assistance animals, and captive animals; and
- Review best practices and federal guidance on congregate and non-congregate sheltering and evacuation planning related to the needs of household pets, service and assistance animals, and captive animals.

The requirements of the PAW Subcommittee, as outlined in the PAW Act, are:

- Requirement 1: Establish Working Group (Complete); Within 180 days of enactment, the Administrator must establish an advisory working group. (Pub. L. 117-212, Sec. 2(b)).
- Requirement 2: Identification and Assessment (Complete, Recommendation to NAC); Within one year of enactment, the PAW Act Working Group must determine if current best practices and federal guidance are sufficient. (Pub. L. 117-212, Sec. 2(f))
- Requirement 3: Publish Updated Federal Guidance; If the Administrator, in consultation with the PAW Act Working Group, determines current best practices and federal guidance are insufficient, the Administrator, in consultation with the Working Group, must publish updated federal guidance within 540 days of enactment. (Pub. L. 117-212, Sec. 2(g))

PAW Subcommittee Recommendation Presentation

Kelly McKinney: The PAW Subcommittee Chair recommends, on behalf of the PAW Subcommittee, that current federal guidance and best practices on congregate and non-congregate sheltering, as it relates to household pets, service and assistance animals, and captive animals, as appropriate, is insufficient and that the PAW Subcommittee should move forward with Requirement 3 and provide recommendations to update current FEMA guidance and best practices. We have come to this conclusion based on the following justifications.

Eric Thompson: The subcommittee's first justification is that the current guidance is outdated and should be revised based on lessons learned. Updated guidance will allow for a coordinated federal response that recognizes the variability within individual state, local, tribal, and territorial (SLTT) partners due to regional differences and state/local policies. In 2018, eight documents were published that have not been integrated into current federal guidance.

Kelly McKinney: Secondly, the PAW Subcommittee found that many critical definitions, such as "household pets," originate from multiple sources and may be interpreted differently by multiple jurisdictions. The variance among definitions leads to confusion in the field and decreased coordination.

The third justification concerns socialization and training related to the current guidance. There is a lack of education between SLTT partners and the current guidance, as the guidance is not understood or socialized equally across SLTT partners. There is also little direction on interpreting and applying the published guidance for SLTT partners. There is a lack of direction on how to train and socialize materials. The current guidance is spread across multiple documents making it difficult for SLTT governments to find the information they need in the field, suggesting the need for a unifying document.

The final justification is about inconsistent and ambiguous guidance. In the current guidance, there is a lack of clarity and up-to-date information. Based on the PAW Subcommittee's review of current and existing FEMA guidance and the previous justifications, the PAW Subcommittee Chair recommends, on behalf of the PAW Subcommittee, that the current federal guidance and best practices on congregate and non-congregate sheltering, as it relates to household pets, service and assistance animals, and captive animals, as appropriate, is insufficient and that the PAW Subcommittee should move forward with Requirement 3 and provide recommendations to update current FEMA guidance and best practices.

Rob Long: The vote will approve or disapprove the recommendation that existing federal guidance is insufficient. NAC Chair Carrie Speranza will facilitate the question and answer session for NAC members.

NAC Question and Answer Session

Carrie Speranza: Now begins the NAC Question and Answer session. If any members have questions for Kelly related to the recommendation or justification statements, you may now raise your questions.

Jim Redick: Does the use of the term animals in the PAW Act include service animals?

Kelly McKinney: The PAW Act specifically references service animals and support animals.

Chloe Demrovsky: Can you clarify the categories of animals defined in the PAW Act?

Kelly McKinney: Household pets are domesticated, kept in the home, and can travel in a commercial carrier (dogs, cats, birds, rabbits, turtles). This does not include reptiles (except for turtles), farm animals, and racing animals. Congress gives FEMA a wide latitude on captive animals, but captive animals are not considered pets.

Carrie Speranza: Does the definition of 'captive animals' include horses, goats, and animals of that nature? Are farm animals considered captive animals?

Kelly McKinney: Those types of animals are included, but not necessarily provided for in policy under Public Assistance (PA). Other services and programs could apply, but the Individual Assistance Program and Policy Guide (IAPPG) and the Public Assistance Policy and Program Guide (PAPPG) focus more on household pets, service animals, and support animals. The issue is important, and it comes up in every disaster, especially those that affect areas outside an urban center.

Brian Strong: Are there other ways to address the issue of captive animals? People may not leave their horses or other farm animals in times of disaster. Are there policies that include provisions for these animals to be taken care of?

Sarah Egan: The PAW Act does not define what captive animals can mean and may fall under the charge of the Subcommittee to define.

Kelly McKinney: The Subcommittee's mandate relates to the sufficiency of guidance documents and best practices and the Subcommittee itself will not recommend changes to policy at this time.

Lori Hodges: Large animal evacuation is covered under PA measures. The member stated that the NAC may consider agricultural animals in general, even if it is not within the scope of this committee.

Mike Strain: The intersection between livestock and the Stafford Act has brought up questions in the Subcommittee meetings. The USDA and the Farm Bill cover agricultural animals, but a singular coordinated document does not exist. The policies should not violate the bridge between the Stafford Act and the United States Department of Agriculture. A written protocol for a uniform understanding of how to handle captive animals would be beneficial.

Tonya Graham: I see these issues at the local level. As more and larger disasters emerge, driven by the climate crisis, there is a need to take care of animals and review processes in-depth from the local level to the federal level. Clearly, the guidance is inadequate, and the work must continue to update it.

Misti Kill: Will there be an extension to the timeline added to the recommendation?

Kelly McKinney: An extension would be a point of order, and someone may make a motion to extend the timeline. The PAW Subcommittee can discuss that in future meetings.

Carrie Speranza: The only current business is determining if the existing federal guidance is sufficient.

Rob Long: Deliberation may begin.

Donald Bliss: The rules for deliberation are on the screen. We will follow a modified Robert's Rules of Order.

Lori Hodges: How will the vote be conducted today?

Carrie Speranza: It will be a roll call vote and members will cast their vote verbally as I call on you.

Carrie Speranza: Before we can vote, we need to ensure we have a quorum. Rob, do we have a quorum?

Rob Long: I will now read off the list of members that are present. Please speak up if you are here and we do not call your name.

Carrie Speranza: According to the Federal Register Notice, the public comment period must begin promptly at 4:15 p.m. ET and deliberations will be interrupted if it reaches that time.

Kelly McKinney: I move that the NAC should recommend to the FEMA Administrator that current federal guidance and best practices on congregate and non-congregate sheltering of animals are insufficient and that the guidance should be updated and revised.

Donald Bliss: Seconded.

Public Comment Period

Rob Long: We will now begin the public comment period. Brynae Riggins, welcome. Do you have a public comment?

Brynae Riggins: Thank you, no.

Rob Long: Thank you. Larry Bleich, welcome. Do you have a public comment?

Larry Bleich: I am with the American Red Cross and we are here to understand and keep up with what is going on with this program.

Rob Long: Thank you. Sophia Bremer, welcome. Do you have a public comment?

Sophia Bremer: No, I do not have a public comment.

Rob Long: Thank you. Nancy Blaney, welcome. Do you have a public comment?

Nancy Blaney: Yes, it is more of a question, if that is okay.

Rob Long: Yes, you may ask a question as long as it is germane to the recommendation or justifications.

Nancy Blaney: I hope it will be germane. Has the Subcommittee found that the lack of precise guidance has limited localities' abilities to meet the requirements of the 2002 PETS Act, requiring that they provide for animal evacuation?

Sarah Egan: Based on the legislation that was passed, there is no reason to believe that the existing guidance has impacted the ability to respond to disasters. The issue today is the sufficiency of federal guidance and best

practices, and the participant's comment goes beyond the scope of the Subcommittee's charges and no further comment can be made regarding the question.

Kelly McKinney: Agreed.

Rob Long: Thank you. Leah Romero, welcome. Do you have a public comment?

Leah Romero: Thank you, no.

Rob Long: Seeing no other members of the public, the public comment period has been closed. Thank you all for your participation.

Mitchell Berger (comment provided prior to the meeting via Federal Register Notice): Comments made in a personal capacity: In response to the above notice and request for public input, I write to make the following suggestions concerning the topics of congregate and non-congregate sheltering and evacuation and planning "relating to the needs of household pets, service, and assistance animals, and captive animals, as appropriate, in emergency and disaster preparedness, response, and recovery." Please note that these comments represent my personal views and are not submitted on behalf of any organization.

- Bolstering pet owner preparedness: Even with much publicity about the impacts of disasters and emergencies on pets and FEMA and other resources, surveys show many pet owners still are unaware and underprepared for emergencies, lacking, for instance, plans for sheltering in an emergency, key documentation or transportation. For instance, owners should be aware that several Web sites offer lists of hotels with pet-friendly policies that may help support evacuation planning. Conversely, pet owners should understand that many shelters on which some may plan to rely during emergencies may be unable or unwilling to accept pets into their facilities. For instance, many Red Cross emergency shelters will only accept service animals. In their book, *All Creatures Safe and Sound: The Social Landscape of Pets in Disasters*, Professors Sarah DeYoung and Ashley Farmer comprehensively review the history of the Pets Evacuation and Transportation Standards Act of 2006 (PETS Act), describe the experience of pets during hurricanes and other disasters and note several suggestions that may help support animal evacuation and planning including: incentives to encourage hotels and rentals to accept pets (contrary to what is sometimes asserted the PETS Act does not require this); (p. 24); providing leashes and animal carriers to pet owners prior to an emergency or disaster to aid in evacuation (p. 97); ensuring pet owners have readily available such key documents as vaccination records (p. 103); encouraging owners to identify pet-friendly shelters before a disaster (p. 167); co-locating human and animal shelters when feasible (p. 126); supporting microchipping of pets; and distributing food to poorer pet owners with limited transportation as part of emergency planning (p. 103). FEMA should review and consider the implementation of such suggestions.
- Engaging animal welfare and management organizations in emergency planning: Just as public health increasingly is adopting a 'one health' approach that reflects human, animal and ecosystem impacts, so too should emergency management include animal welfare and management participants and perspectives. Thus, farmers, pet owners, agricultural and animal welfare organizations, among others, should be fully engaged in federal, state, local, tribal and territorial planning efforts. While various FEMA documents do discuss animal welfare planning, FEMA may consider working with the Departments of Agriculture (ex. APHIS) and Health and Human Services (ex. ASPR) to develop a separate planning guide specific to animal welfare that can discuss animal welfare considerations in relation to preparedness, resilience, recovery and other efforts.
- Federal agency collaboration will be helpful: FEMA and partners such as the Departments of Health and Human Services and Agriculture can help continue to share resources and raise awareness of these issues

both for livestock and companion or service animals. Organizations such as the National Animal Rescue & Sheltering Coalition (NARSC), Humane Society, ASPCA, National Alliance of State Animal and Agricultural Emergency Programs (NASAAEP) and local shelters can be engaged in federal, state, local, tribal and territorial emergency planning efforts. As well, cross-agency collaboration among agencies and organizations supporting Emergency Support Functions 6 (mass care), 11 (agriculture and natural resources) and 8 (public health and medical services) is essential to ensuring PETS Act implementation and assurance of pet, service and other animal welfare during emergencies and disasters.

- Ensuring emergency and disaster planning recognizes that pets, service animals and livestock can be impacted by many types of emergencies and disasters: While it is well-known and many plans reflect impacts of disasters such as hurricanes, pets and livestock also are increasingly impacted by such emergencies as heat waves, droughts and wildfires, which are happening more frequently or with greater severity. Emergency planning should reflect the likelihood that pets, people and infrastructure may be impacted by these emergencies.
- Need for additional training and resources: There is a need to support agricultural staff and communities with resources, funding and training, recognizing they likely will be charged with ensuring animal welfare during emergencies and disasters. Collaboration among federal agencies, with other partners and at the state, local, tribal and territorial levels can help provide additional funds, staff and education of emergency responders, public health staff, policymakers, agricultural workers and staff and others on these issues.

NAC Vote

Carrie Speranza: Kelly, do you have a motion at this time?

Kelly McKinney: The PAW Subcommittee recommends to the FEMA Administrator that current federal guidance and best practices on congregate and non-congregate sheltering and evacuation planning as it relates to the needs of household pets, service and assistance animals, and captive animals as appropriate is insufficient and that the guidance should be updated and revised.

The NAC members voted.

- Donald Bliss: Yes
- Michael Antoine: Yes
- Andrew Phelps: Yes
- Tafa Tua-Tupuola: Yes
- Brad Richy: Yes
- Tonya Graham: Yes
- Brenda Bergeron: Yes
- Jody Ferguson: Yes
- Justin Kates: Yes
- Lori Hodges: Yes
- Karl Fippinger: Yes
- Kelly McKinney: Yes
- Kathy Baughman McLeod: Not Present
- Chad Berginnis: Not Present
- Michael Berkowitz: Yes
- Jill Boudreau: Yes
- Tim Gleason: Yes
- Romesh Kolluru: Not Present
- Paula Pagniez: Not Present

- Jim Redick: Yes
- Sal Scarpa: Yes
- Brian Strong: Not Present
- Michael Williams: Yes
- Micheal Mendez: Not Present
- Tom Munoz: Yes
- Chris Blanco: Yes
- Brittany Perkins Castillo: Yes
- Chloe Demrovsky: Yes
- Jonathan Greene: Not Present
- Tom Jenkins: Yes
- Misti Kill: Yes
- Brian Lanclos: Yes
- Lorie Liebrock: Yes
- Frank Scott: Not Present
- Seth Statler: Not Present
- David Thomson: Yes
- JQ Yuan: Yes

Rob Long: The motion passes. Thank you, Kelly and the PAW Working Group, for your work on this effort. Thank you everyone for your attendance and participation. Dawn, what are the next steps?

Dawn Essenmacher: This recommendation will be passed on to the FEMA Administrator for review and consideration. If approved, the PAW Subcommittee will continue the work started and begin developing recommendations for FEMA to update guidance. Those recommendations will be presented to the NAC in a similar meeting.

Donald Bliss: Move to adjourn.

Michael Antoine: Second.