

American Veterinary Medical Association

PETS Act (FAQ)

<https://www.avma.org/KB/Resources/Reference/disaster/Pages/PETS-Act-FAQ.aspx>

Q. What led to the development of the PETS Act?

A. Our current system for homeland security does not provide the necessary framework to manage the challenges posed by 21st Century catastrophic threats. But to be clear, it is unrealistic to think that even the strongest framework can perfectly anticipate and overcome all challenges in a crisis. While we have built a response system that ably handles the demands of a typical hurricane season, wildfires, and other limited natural and man-made disasters, the system clearly has structural flaws for addressing catastrophic events. During the Federal response to Hurricane Katrina, four critical flaws in our national preparedness became evident: Our processes for unified management of the national response; command and control structures within the Federal government; knowledge of our preparedness plans; and regional planning and coordination...."

The Federal Response to Hurricane Katrina: Lessons Learned, The White House <http://georgewbush-whitehouse.archives.gov/reports/katrina-lessons-learned/chapter5.html> The White House, in response to Hurricane Katrina, directed a review of lessons learned by the Department of Homeland Security (DHS). In that assessment, it was recommended that DHS require State and local governments, to develop, implement, and exercise emergency response plans and to be integrated with all Federal evacuation activities, before State and local governments are able to receive DHS-funded grants.

Specifically, the assessment stated that "state and local evacuation plans should specify procedures to address the pre-positioning of food, medical and fuel supplies. These plans should address establishing first-aid stations, tracking and coordinating movements of evacuees, evacuating pets, unaccompanied minors, the elderly, and evacuating people who lack the means to leave voluntarily."

In the fall of 2006, Congress passed H.R. 3858, the Pets Evacuation and Transportation Standards Act of 2006 (PETS Act). On Friday, October 6, 2006, President Bush signed the PETS Act into law.

Q. What does the PETS Act do?

A. The PETS Act amends 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.

The PETS Act authorizes FEMA to provide rescue, care, shelter, and essential needs for individuals with household pets and service animals, and to the household pets and animals themselves following a major disaster or emergency.

For DHS and its agency that oversees emergency response – the Federal Emergency Management Agency (FEMA) – to implement the PETS Act effectively, two other documents support FEMA's activities to ensure optimal preparedness and response associated with companion animals:

Post-Katrina Emergency Management Reform Act (PKEMRA):

PKEMRA codifies and expands FEMA's regional office structure and strengthens its all-hazards operational framework and coordination capabilities. It expanded the federal role in emergency response by designating FEMA as the sole primary agency, and it added additional authorities and responsibilities for FEMA to, among other actions, ensure pet rescue and shelter. In an emergency wherein the federal government will assist a state, FEMA will

procure support from federal partner agencies, including the U.S. Department of Agriculture and Health and Human Services (HHS), as well as the American Red Cross partners.

National Response Framework (NRF):

The NRF is a document that establishes a comprehensive, national, all-hazards approach to emergency response. It identifies the key response principles, roles and structures that organize national response. It describes how communities, States, the Federal Government and private-sector and nongovernmental partners apply key response principles for a coordinated and effective nationwide response.

While the PETS Act was a catalyst for implementation of preparedness plans at the state and local levels of government, it takes all three documents (PETS Act, PKEMRA, and the NRF) for a truly effective and comprehensive response.

Q. Who will be using the PETS Act as a tool?

A. The key stakeholders in implementing the PETS Act are states and local municipalities, as well as non-profit organizations and private companies.

Since the PETS Act works through reimbursing States and counties for work done in association with disaster mitigation, regulations associated with the PETS Act are pertinent to those State and local governments. In addition, since non-profit organizations and private companies (NGOs) work closely with States and municipalities to provide many necessary services, these groups must be cognizant of the details about the types of services that they could offer in order to be reimbursed by the State or local government. The reimbursement process can be streamlined by having pre-event agreements in place between these entities.

Q. When is the PETS Act in operation?

A. When a local government's resources are overwhelmed, the State helps to mitigate the disaster. However, in large emergency situations, sometimes states' resources are overwhelmed, and a request will be made to the President that the emergency needs a federal response. The PETS Act is operational when a federal disaster declaration has been made. The declaration serves as a "trigger" that provides for reimbursement for allowable, documented, services utilized in this emergency event.

Q. How does the PETS Act work operationally?

A. FEMA developed a disaster assistance policy titled "Eligible Costs Related to Pet Evacuations and Sheltering," (DAP 9523.19) which provides specific guidelines on expenses that are or are not reimbursable to states that expend resources on various aspects of responding to a disaster.

In particular, the following items, for which a state could be reimbursed, are enumerated in FEMA's policy:

- Definition of what a "household animal" is
- Definition of what a "service animal" is
- Type of shelter employed
- What employees are utilized in rescuing animals
- Facilities, supplies, commodities, and labor used in sheltering operations
- Type of emergency veterinary services provided
- Type of transportation utilized in rescue
- Needs for safety and security of the shelter
- Cleaning and maintenance of the shelter

- Services for removal of dead animals
- Cataloging and tracking systems used for pets
- Timeframe under which the shelter may operate

Specific challenges that continue to be addressed include the following:

- Receipt retention for reimbursement
- Need for federal identification numbers and/or proof of non-profit status
- Utilizing vehicles that fit the DAP 9523.19 requirements (ie., non-personal)
- Need for federal declaration, which may not be in place during the early days of a disaster
- Recognition that states typically are reimbursed for 75% of their expenditures during a federal-declared emergency (including state usage of volunteer hours as 'in-kind' services to meet the state's 25%)
- Meeting the minimum \$1000 per work sheet of expenditures for reimbursement to be considered

The entire DAP 9523.19 can be found at FEMA's policy website: <http://www.fema.gov/pdf/government/grant/pa/policy.pdf>