

PUPS - - MISPLACED CONGRESSIONAL PRIORITIES - - THE “ART OF FINESSE!”

QUESTION: WHEN WILL NURSING HOMES BE REQUIRED TO PROVIDE THE SAME LEVEL OF CARE FOR LOVED ONES AS IS PROVIDED TO DOGS?

As of August 15, 2011, 128 Members of Congress (24%) have either sponsored or co-sponsored PUPS - - a Legislative Bill that would amend the Animal Welfare Act and establish even more stringent care standards for all Federally Licensed and Inspected Dog Breeders than currently exist. Here it is significant to note that if PUPS were enacted, it would set the stage for the HSUS to “push” and “pressure” the USDA to extend coverage of the Animal Welfare Act to hobby breeders as well.

The existing standards for dogs, as set out in the implementing Animal Welfare Regulation, are very detailed as to the precise quality of care that must be provided for each and every dog and puppy, as well as exacting requirements that, among other things, include precise “comfort” limitations on the temperatures maintained for the sheltered housing of dogs. In this regard, Section 3.3 of the Animal Welfare Regulation provides that ***“sheltered housing facilities for dogs . . . must be sufficiently cooled when necessary to protect dogs . . . from temperature or humidity extremes and to provide for their health and well being.”*** This same provision further provides that the ***“ambient temperature must not . . . rise above 85 (degrees F) for more than 4 hours when . . . dogs are present. The preceding requirements are in addition to, not in place of, all other requirements pertaining to climatic conditions in parts 2 and 3 of this Chapter.”*** Furthermore, to ensure strict compliance with all provisions of the Animal Welfare Act, and its implementing Regulation, the Department of Agriculture is required to ensure that all Federally Licensed Breeders are in full compliance with the Animal Welfare Act and its implementing Regulation through the use of a detailed Federal Inspection Program which includes periodic, **no notice inspections** by Federal Inspectors of every Federally Licensed Dog Kennel in the entire U.S.

In contrast, while the U.S. Congress did enact the Nursing Home Reform Act in 1987, neither that Act nor its implementing Regulation that exists today - - nearly 25 years after Congress enacted the Nursing Home Reform Act - - establish Standards of Care for our Loved Ones, who must spend the twilight of their lives in Nursing Homes, with the same degree of detail as currently exists in the implementing Regulation to the Animal Welfare Act that explicitly establishes the required and detail care for dogs. For example, if the air conditioning breaks down on a Friday Night in a Nursing Home and the ambient room temperature in the rooms of Loved Ones with respiratory problems rises above 85 (degrees F) for more than 4 hours, unlike the mandatory requirements for the care of dogs, there is no requirement for our Loved Ones to be moved to another room where the temperature is below 86 degrees F, or for the air conditioning to be repaired before Monday morning, if ever! Furthermore, there is no current

Statutory requirement, nor is there any pending legislation being considered by the U.S. Congress that would require the Department of Health and Human Services to use Federal Inspectors to periodically inspect Nursing Homes - - that receive Billions of Dollars in Medicare and Medicaid Payments - - to ensure that our Loved Ones in Nursing Homes are actually receiving the minimum level of care mandated by the Nursing Home Reform Act. To many, the absence of an air conditioning standard for Nursing Homes that is comparable to the air conditioning standard for dog kennels, and the absence of a Federal Inspection Program for Nursing Homes suggest that Congress places a higher priority on the care and welfare of dogs than it does for the care and welfare of our Loved Ones in Nursing Homes.

If you believe that a Loved One in a Nursing Home should receive at least the same quality of care as is provided to a dog, why don't you ask your Members of Congress to support such legislation as a **backdoor way to "finesse" and highlight the absurdity of the PUPS Bill without creating the appearance of a parochial interest of dog breeders.** That is the essence of the **"Art of Finesse!"** In this regard, if the Members of Congress, who have co-sponsored the PUPS Bill, were to be made aware of the fact that they have placed a higher priority on the care and welfare for dogs than on the care and welfare for our Loved Ones in Nursing Homes, a few may wince and reconsider their decision to co-sponsor PUPS. And to those who are currently being "lobbied" by the HSUS to co-sponsor the PUPS Bill, the revelation about a higher priority for the care of dogs than for our Loved Ones in Nursing Homes may stop the momentum for any more Members of Congress to co-sponsor PUPS.

I truly believe that if the Members of Congress became fully aware of the fact that the Federal Government places a higher priority on the care and welfare of dogs than on the care and welfare of our Loved Ones in Nursing Homes, such an awakening revelation may be the **"showstopper"** to derail the on-going momentum to enact the PUPS Bill.

Stop and reflect for a moment..... **How many Members of Congress do you believe would welcome notoriety associated with the fact that the U.S. Congress apparently has placed a higher priority on the care and welfare of a dog than on the care and welfare of a Loved One in a Nursing Home?**

If you wish to bring this **comparative absurdity** of Congressional Priorities to the attention your respective Members of Congress, you may do so by sending an E-Mail to them. To send E-Mails, simply follow the instructions below. It will take you less than 10 Minutes to do so, and it just may derail and stop the HSUS PUPS Freight Train!!!

1. To send an E-Mail to your U.S. Representative, Log onto www.house.gov/writerep/
2. Fill in your state and ZIP Code on the prompt that appears.

3. Add your name, address and E-Mail address on the E-Mail Form for your U.S. Representative; and on the Subject Line add: **PUPS - - MISPLACED CONGRESSIONAL PRIORITIES;** and then add the message set out below.
4. To send an E-Mail to your Two Senators, Log onto: www.senate.gov/general/contact_information/senators_cfm.cfm
5. Click onto the E-Mail Address for each of your two U.S. Senators.
6. Add your name, address and E-Mail address on the E-Mail Form for your two U.S. Senators; and on the Subject Line add: **PUPS - - MISPLACED CONGRESSIONAL PRIORITIES;** and then add the message set out below.

Suggested Text of E-Mail Message

"I was alarmed to learn that the Federal Government has an Inspection Program that requires that all Federally Licensed Breeders receive no notice inspections by Federal Inspectors to ensure compliance with the Animal Welfare Act, but that there is no Federal Inspection Program for Nursing Homes where our Loved Ones must spend the twilight of their lives in a Nursing Home. I am equally concerned that the Federal Government has an air conditioning standard for dog kennels, but no such air conditioning standard exists for the Nursing Home Rooms where our Loved Ones reside.

Since the Federal Standards for the care and welfare of dogs in kennels are already more stringent than the existing Federal Standards for the care and welfare for our Loved Ones in Nursing Homes; and since Nursing Homes are not subject to periodic inspections by Federal Inspectors in the same manner that dog kennels are subject to inspections by Federal Inspectors, would you please tell me why Congress places a higher priority on amending the Animal Welfare Act with the pending PUPS Bill than it does on ensuring that Nursing Home Reform Act is amended so that our Loved Ones in Nursing Homes will receive the same level of care that is currently required by the U.S. Government to be provided for dogs?"