

WHAT IS 'PAWS'

-- And why should I care?

by Walt Hutchens

PAWS (also known as S. 1139 and H.R. 2669 for the twin Senate and House versions) is a bill that is in Congress right now and could pass within the next few weeks. Unless it is beaten, the future is dark for America's dogs and cats.

This bill would amend the federal Animal Welfare Act, requiring many more dog breeders; as well as nearly all cat breeders and all but the smallest rescuers to get federal (USDA) licenses. Because home hobby breeding and rescue is impossible under the regulations that licensees must follow, that's a big problem.

A BIT OF HISTORY

The Federal Animal Welfare Act was originally (1966) intended to regulate breeding and use of lab animals. Over the years it was extended to also regulate commercial breeding of dogs. At present, the law divides breeders into two groups: those selling only directly to homes (retail) and those selling some or all dogs to pet stores (wholesale). Wholesale breeders are required to be licensed; retail are not. Drawing the line there makes good sense because retail sellers are small and can be 'inspected' by their customers -- they are not a good use of inspector time.

WHAT HAS CHANGED?

1. A number of small to medium commercial breeders have started selling over the internet. They take your order and your credit card number and your puppy is shipped to you. Unfortunately, some of these (how many is unknown) are filthy 'puppy mills.' Every state has laws requiring animals to be given good care. However, in the areas where most such breeders live, the laws are enforced by a county sheriff whose budget does not allow seizing several hundred dogs in poor condition and caring for them as evidence in a court case for what could be several months. So some of these breeders are not shut down and punished.
2. More dogs and puppies are being imported from other countries. Many foreign countries have no real animal care laws; these dogs too may be bred in abusive conditions and they also may carry diseases that are rare in the U.S. There are quarantine requirements, but they're usually evaded because importers aren't required to be licensed.
3. Purebred cats were formerly uncommon but there are now a growing number of hobby catteries breeding them, new breeds are being developed, and the number and size of cat shows is growing. Purebred cats from fanciers have more reliable temperaments, are better socialized, and have fewer inherited health problems, so this is a good thing.

It's easy to see how the first two changes would bring calls for changes in the law. But to understand the third change and the way PAWS was written, we need to talk about ...

THE ANIMAL RIGHTS (AR) MOVEMENT

Most of us think that animals and humans are good for each other. Our pets make us happier and healthier, most of them seem to enjoy their lives, and anyway, they couldn't live without us: who would carry the credit card or open the can of food? How would they get to the vet when they're sick? We know that a few people mistreat animals but that's against the law and we want those laws enforced.

The animal rightists (ARs) believe that human-animal relationships are always bad for the animals. At the very best, we enslave them and most of us mistreat them as well. The AR's believe we need laws that cover every part of our relationships with animals and have severe punishments for every offense. The truly serious animal rightists believe that even the strongest laws and punishments can't solve the problems because humans simply aren't good enough to be around animals. Their solution is that we have to be separated from animals: Since domesticated animals can't live without us, that means they will become extinct.

Obviously this is a very sick idea. Rather than coming from loving animals, it is actually from hating humans. Who could believe such things? Some of them are burned out shelter workers who have seen the worst of the worst for so long that they no longer believe there are good people and happy animals anywhere. Many are people who started out hating people because of bad things in their own lives, turned to animals for love, and found that some people were hurting animals too.

There aren't very many true 'hard core' animal rightists, but there are many who buy part of the animal rights idea. For example, they may think that there is such huge pet overpopulation that all breeding should be stopped for awhile, or they believe that punishments for animal offenses aren't nearly enough. You'll find many of these people among those doing pet rescue and backing AR kinds of laws. These laws are promoted by the Humane Society of the United States (HSUS), People for the Ethical Treatment of Animals (PETA), and the Doris Day Animal League (DDAL) -- three of the best known animal rights organizations. Unfortunately these organizations also get money from many innocent people who just want to 'help the animals.'

AND BACK TO PAWS

HSUS and DDAL formerly worked just to get better treatment of animals. Captured by animal rightists in the 1990's, both today work to get ever stronger laws controlling animal use with the goal of eliminating it -- they want no meat, no fur or leather, no circuses, hunting, or use of animals for medical research -- and no pets. They helped write PAWS and are pushing hard for it to pass.

The AKC fought and beat two previous bills that would have extended federal regulation to small-scale home breeding. They are currently backing PAWS. This is hard to understand because, in the long run, the bill will be a disaster for the AKC. Possible reasons for their position include a wish to 'go along to get along,' and a simple failure to think hard about the issues. Also they may believe

WHAT IS 'PAWS'

Page 3

that the law will increase AKC registrations by forcing some breeders to raise their standards to those required by AKC's inspectors.

Most home breeders of dogs and cats do it as a hobby. That's possible because breeding is basically just keeping pets very carefully and doing a lot of study and hard work in order to produce the very best animals. Even at prices close to \$1000 for a puppy, hobby breeders are almost donating their time. You can make more money working in a store behind a cash register for four months than you can breeding and selling a litter of top quality pets, even if you get a good price and don't have unexpected problems.

PAWS would require all persons selling dogs and cats to become licensed if they sell over 25 animals or six litters in one year. The six-litter exemption, however, goes away if you sell even one animal that's not of your own breeding. Many breeders accept and sell a puppy from another breeder in payment of a stud fee; many others do some pet rescue in addition to breeding. It's also common for breeders to share ownership of a good dog; it is likely that selling such a dog would count against the limit for both breeders. The promoters of PAWS have made it very clear that they think all breeders should be licensed; we can expect them to be back in a few years wanting to lower these limits and include more breeders under their regulations.

Becoming USDA licensed makes hobby breeding impossible. Under current rules, you can't get a license to breed at home; you need a kennel (costing over \$100,000) and local laws make it impossible to build one in most places. Of course it's very hard to breed dogs and cats in a kennel and produce pets as good as you get breeding in a home. If it seems odd to pass a law requiring breeding to be done badly, remember that:

1. The federal Animal Welfare Act was written for laboratory animals and later extended to commercially bred dogs: all of these are bred in farms or kennels anyway, and,
2. Animal Rightists don't want good pets, they want no pets.

There's almost no commercial breeding of cats; the only possible reason for them to be in the PAWS bill is to squeeze the growth of home hobby breeding of cats. In fact, because of the different breeding pattern of cats, the PAWS rules are even worse for them than for dogs; if the bill passes it will almost end breeding by fanciers. Ending home hobby breeding would make it impossible for ordinary people to buy a top-quality purebred dog or cat. That's because people who run businesses have to be paid for their time and they cut costs by eliminating as many as possible of the things that make a better quality pet. Things like health testing, pedigree research, long hours of socialization both with people and the puppies' mom and siblings won't be missed during a 30-day guarantee and you can be sure that a pet store puppy doesn't have them.

PAWS would also have serious indirect effects.

All across the country, in nearly every state and many towns and cities, animal rightists are trying to

WHAT IS 'PAWS'

Page 4

pass laws that will take us toward no pets, one step at a time. Breeders of dogs and cats are often leaders in the fight to keep our rights. But when breeder licensing hits, even if it might affect them in the future, most breeders try to hide and will not fight any new bad law.

IS THERE ANYTHING GOOD IN PAWS?

There are two or three good ideas in the bill. Importers would have to be licensed and pet shops would be required to keep records of where they got their dogs; both provisions would help enforce other laws. These provisions would pass easily if put into a separate bill. Adding some money to help local authorities pay costs of a seizure would make it easier for them to close abusive breeders. The main features of the bill -- extending requirements for USDA licensing to all but the very smallest breeders -- would even be bad for the animals produced by the large puppy farms that are already regulated. Why? Because the USDA would have between two and three times as many licensees to inspect but in the current federal budget situation there is almost no chance of getting more money to hire inspectors. So if small breeders are inspected at all, big farms will be inspected less often.

WHAT SHOULD WE DO?

If hobby breeding and home rescue is going to have a future, we need to beat this bill. That means:

1. Turning the AKC's mistaken support into opposition if possible. Some people think PAWS would be dead without AKC support.
2. Telling the sponsoring Congressmen, the House and Senate Agriculture Committees, and our own Senator and Representative that this bill is a very bad idea.
3. Spreading the word to other dog and cat lovers as rapidly as possible and asking them to also contact Congress. Remember -- PAWS would not help any animals. It was written mainly by organizations that want pets gone, because they know that eliminating well-bred pets will give them reasons they can use to push for even more laws.

If we don't beat this bill now, our grandchildren probably won't be able to own a carefully bred purebred dog or cat. They ought to have that choice.

7-1-05

Walt Hutchens retired from careers in the Navy, engineering, and business, only to find himself working full-time fighting animal rights legislation. He and his wife Sharyn breed whippets and are also active in rescue and pet owner education. They live in southwest Virginia with too many dogs.