



CRS Issue Statement on Animal Welfare

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January 11, 2010

Congressional Research Service

7-5700

www.crs.gov

IS40255

Whether additional measures are needed to protect the health and well-being of animals has been a subject of debate in Congress. Animal protection activists, on the one hand, have long sought legislation to modify or curtail how nonhuman animals, whether living in captivity or in the wild, are used and treated. However, producers have resisted new laws to regulate animal activities that they deem to be acceptable or even necessary.

Animal protection groups appear to share a common goal of ensuring the well-being of all animals, but from there, viewpoints can diverge widely. Some groups, for example, oppose all human uses of other animals, including for food, clothing, medical research, or entertainment; they often take the position that animals should have certain legal rights typically afforded to humans. Other groups accept most traditional human uses of animals but believe any suffering should be minimized or eliminated.

Groups representing those who earn their living from animals in agriculture, exhibitions, research, the pet industry, or other activities, say they agree that animals should be treated humanely, and that they do so. However, they argue, many proposals for new regulation lack a scientific basis or professional understanding of animals and their behavior; are overly intrusive, and/or do not respect humans' rights and relationships to other species.

For much of American history, laws have evolved (generally at the state and local levels) which are aimed primarily at protecting animals from cruel treatment, such as the infliction of pain, failure to provide adequate sustenance or shelter, and other neglectful or deliberately harmful acts. In more recent decades, state and local as well as federal lawmakers have shown a willingness to consider more prescriptive proposals regarding human treatment of, and interactions with, other animals. At the federal level, the major laws include the Animal Welfare Act (7 U.S.C. §§ 2131-2159), the Horse Protection Act (15 U.S.C. §§ 1821-1831), the Humane Methods of Slaughter Act (7 U.S.C. §§ 1901-1906), and the Twenty-Eight Hour Law (49 U.S.C. § 80502). Numerous other federal statutes are aimed at the protection or preservation of animals living in the wild and/or traded internationally; examples include the Endangered Species Act, (16 U.S.C. §§ 1531-1544), the Lacey Act (18 U.S.C. §§ 41-48), and the Marine Mammal Protection Act (16 U.S.C. §§ 1361-1423h).

Examples of farm-related proposals that were introduced in recent Congresses include banning the slaughter of horses for human food; requiring that disabled livestock be humanely destroyed and diverted from the food supply; and requiring producers to meet certain minimal standards if their animals will be used for products in federal programs. Bills also have been offered, and a number of them enacted, addressing the treatment of nonfarm animals—many of them as amendments to the Animal Welfare Act. They include such changes as strengthening enforcement of the act, expanding coverage to more animals and purposes, and tightening prohibitions against dog and other animal fighting activities, for example. Animal welfare bills are emerging again in the 111th Congress, in response to continuing public interest in the issue. Whether any will advance through committees and the full House and Senate during the second session remains to be seen.

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