

SERRANO, chair of the Appropriations Financial Services subcommittee, was good enough to offer this renaming in his appropriations bill and to appropriate the funds without authorization this year and in prior years.

Under General Wherley's command, the D.C. National Guard deployed several of its units in the Global War on Terrorism. General Wherley himself served courageously in both Iraq and Afghanistan, but at home he spent hours with me figuring out ways to get funds for programs for the District's children. We were always successful because he would show up, not only in my office, but wherever he was needed to go and get funds or to do service.

General Wherley was a full-service leader. He not only commanded the D.C. National Guard; he worked closely with me and with city officials on programs for our city, its disadvantaged youth, and on keeping our Guard competitive as a premier force at home as well as abroad. He became one of us when he and his wife, Anne, decided to purchase a co-op in Southeast, D.C., in the Capitol Hill community where they participated as hometown residents. Anne, who sadly also was killed in the train collision, was his high school sweetheart. At their joint memorial service, I only half-jokingly said that she did everything with him but run the D.C. Guard, because she was his helpmate in every aspect of his full and fruitful life.

As I highlighted when I originally introduced this bill earlier this session, the education incentives in my bill serve not only to encourage high quality recruits, but, when appropriated, have had the important benefit of helping the D.C. National Guard to maintain the force necessary to protect the federal presence because this funding helps equalize an important benefit compared with what is offered by Guard units in surrounding jurisdictions, which also are open to them.

A strong D.C. National Guard, able to attract the best soldiers is especially important, given the dual mission of the D.C. National Guard to protect the federal presence as well as hometown D.C. This unique responsibility distinguishes the D.C. National Guard from any other National Guard and accounts for the generosity of the Appropriations Committee in the past. However, while the appropriators treat funding for the D.C. National Guard as a programmatic request, under past administrations, the Office of Management and Budget has contended that these funds are earmarks, putting them in jeopardy for consistent funding. It therefore is imperative that this important educational incentive be authorized appropriately to ensure its permanent sustainability. That is what this bill does today.

I urge my colleagues to support this bill.

**PET SAFETY AND PROTECTION
ACT**

HON. MICHAEL F. DOYLE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 22, 2009

Mr. DOYLE. Madam Speaker, I rise today to reintroduce the Pet Safety and Protection Act—legislation that I believe is essential to protect family pets, bring our nation's research policies into the 21st century, and end the un-

necessary and illegal abuse of cats and dogs that's widespread in the Class B dealer system, which provides a number of animals to biomedical research labs.

Class B dealers are licensed by the U.S. Department of Agriculture to acquire animals from "random sources," including individuals who claim to have bred and raised the animals, but oftentimes haven't actually done so. Then the dogs and cats are sold to labs across the country that conduct important biomedical research.

Most scientists agree that animals with certain genetic characteristics or medical conditions are necessary for some types of medical research. So-called random sources are often the best sources for such animals. Unfortunately, the Class B dealer system that was set up to address this need has been plagued by widespread and flagrant violations of the Animal Welfare Act—including complaints that family pets have been swept up and sent to labs and used in biomedical research.

While USDA has tried to monitor Class B dealers and make sure these laws are followed, it simply has never had the resources to ensure the dealers' compliance. USDA's efforts, have, however, resulted in a number of investigations that forced many bad dealers out of the business. Today, 7 of the 10 remaining licensed Class B dealers are being investigated for alleged violations of the Animal Welfare Act. An additional dealer has had his license suspended for 5 years.

That record should give anyone an idea of the magnitude of the problems that exist in the current Class B dealer program. If anyone still doubts the need for action, I urge them to watch a 2006 HBO program documenting in graphic, disturbing detail the inhumane and illegal treatment of animals by Class B dealers. This remarkable documentary contains video footage shot undercover in a Class B dealer's facility. Among the abuses documented in this film are overcrowded cages, rotten food, food contaminated with feces, frozen drinking water, dogs with serious untreated injuries and diseases, and live dogs caged with the carcasses of dead dogs. This investigation also documented the beating, strangulation, and shooting of dogs by a Class B dealer.

I have been working for a number of years to pass legislation that would change the way animals with random source characteristics are acquired for biomedical research. This legislation, the Pet Safety and Protection Act, would prohibit the sale of dogs and cats by Class B dealers for experimentation. Its goal is to stop the illegal supply of dogs and cats to laboratories—as was intended when the Animal Welfare Act was first adopted by Congress in 1966. The Pet Safety and Protection Act also provides an alternative to Class B dealers for acquiring such animals. Research labs could acquire them from Class A dealers, from certain publicly owned and operated animal pounds, and through donations from people who have owned the animal for at least a year. I believe that this law would end the abuses running rampant in the Class B dealer system and make the process for acquiring animals necessary for medical research far more humane.

This legislation has the strong support of the Animal Welfare Institute and the Humane Society of the United States.

In previous years, this bill has been derailed by concerns that it might prevent or delay life-

saving biomedical research. Consequently, the 110th Congress directed the National Academies to examine the issue and determine whether the Class B dealer system should be continued. Earlier this summer, the National Academies released its report on the Class B dealer system. The National Academies concluded that:

Although random source dogs and cats represent a very small percentage of animals used in biomedical research, this small number is not commensurate with their potential value, and it is desirable to assure continued access to animals with random source qualities. This access can be accomplished with existing alternative mechanisms other than Class B dealers and can be assured with additional effort. The Committee thus determined that Class B dealers are not necessary for supplying dogs and cats for NIH-funded research.

I believe that the National Academies study puts to rest any remaining concerns about the desirability of eliminating the Class B dealer system.

In closing, Madam Speaker, let me reiterate my belief that enactment of the Pet Safety and Protection Act is necessary to end the inhumane and illegal treatment of animals acquired and sold by Class B dealers, protect families' pets from being used for biomedical research without their permission, and achieve those goals without hindering essential biomedical research. I urge my colleagues to co-sponsor this long overdue legislation.

**NATIONAL SPINA BIFIDA
AWARENESS MONTH**

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 22, 2009

Mr. CASTLE. Madam Speaker, I rise today in recognition of October as National Spina Bifida Awareness Month, which aims to bring awareness to the nation's most common permanently disabling birth defect, affecting 3,000 pregnancies every year. New data from the Center for Disease Control and Prevention, CDC, reported this spring, indicates the number of Americans with spina bifida is actually 154,000—double what was previously thought. According to the Delaware Health Statistics Center, approximately one out of every fifty-six babies born in Delaware with birth defects suffers from spina bifida. Spina bifida occurs within the first month of pregnancy and leaves a permanent opening in the spinal column that subsequently impacts nearly every organ system. People with spina bifida face a host of complications, such as physical, developmental, educational and vocational challenges, among others.

The National Institution of Neurological Disorders and Stroke at the NIH supports research on neural tube defects. Studies have shown the addition of folic acid (0.4 mg of folic acid daily) to the diet of women of child bearing age may significantly reduce the incidence of neural tube defects. An estimated 70 percent of neural tube defects, including spina bifida, are preventable through consumption of folic acid prior to pregnancy, and National Spina Bifida Awareness Month plays a critical role in conveying this prevention message to the public. As a 2005 study uncovered, the