American Veterinary Medical Association
111th Congress Legislative Agenda

The American Veterinary Medical Association’s Governmental Relations Division advocates the Association’s policies and positions on federal legislative and regulatory issues that influence animal and human health and advance the veterinary medical profession.

Appropriations

Active Pursuit for FY 2011

- $6-M Veterinary Medical Loan Repayment Program/7 U.S.C. 3101, Sect. 1415A.
- $10-M Animal Health and Research/Section 1433 Formula Funds/7 U.S.C. 3195
- $14.2-M Animal Traceability Systems for Animal Disease
- $10-M Section 1433 Formula Funds for Animal Health & Disease Research Program
- $15-M Centers of Excellence/7 U.S.C. 3196(a), Section 1434(a) authorized by Section 7204(i) of PL 110-246
- $5-M report language request for the National Veterinary Accreditation Program in the Agriculture Appropriations bill
- $1-M report language request for Food, Agriculture and Veterinary Defense in the Homeland Security Appropriations bill
- AVMA actively works in coalitions to bolster funding to advance animal and disease research, animal welfare, to protect public health, to increase access to veterinary services, foster training and education of veterinarians, to defend the nation against agro-terrorism, and to secure our nation’s food supply. Coalition involvement includes the Animal Agriculture Coalition, the National Coalition for Food & Agriculture Research, AFRI Coalition, the Washington Animal Research Network. Additionally, AVMA collaborates and supports efforts of like-minded organizations and strategic partners working to increase USDA and FDA funding including the Federation of Animal Science Societies and the Association of Public and Land-grant Universities.

Status: The House Agriculture Subcommittee approved unnumbered draft bill by voice vote 6/30/10. The Senate Appropriations Committee approved S 3606 (S. Rept. 111-221) on 7/15/2010. However Congress passed none of the 12 FY 2011 appropriations bills. As a result a short-term spending bill (HR 3082) was passed to keep most programs operating at FY 2010 levels through 3/4/2011.

Primary Contact: Ms. Gina Luke

Animal Health Issues

Funding for NAHLN and NAHLNTox: Seeking authorizing language and $30 million annual appropriations for the National Animal Health Laboratory Network (NAHLN) and $12 million annual appropriations for the Toxicology component (NAHLN Tox).

AVMA Position: Support

Primary Contact: Dr. Ashley S. Morgan

S. 337/H.R. 1226 Foot and Mouth Disease Prevention Act: The Foot and Mouth Disease Prevention Act of 2009 seeks to prohibit the importation of ruminants and swine, and fresh and frozen meat and products or ruminants and swine, from Argentina until the Secretary of Agriculture certifies to Congress that every region of Argentina is free of foot and mouth disease without vaccination.

Status: S. 337 was introduced on 1/28/09 and referred to the Committee on Agriculture, Nutrition, and Forestry. H.R. 1226 was introduced on 2/26/09 and referred to the Committee on Agriculture, Subcommittee on Horticulture and Organic Agriculture.

AVMA Position: Nonsupport

Primary Contact: Dr. Ashley S. Morgan
Humane Methods of Slaughter Act Amendment: In 1978, Congress passed the Humane Methods of Slaughter Act to ensure that all federal and state inspected slaughter facilities adopt humane handling and slaughtering practices. This Act mandates humane slaughter for cattle, swine, sheep, goats and equine slaughtered at federal and state inspected facilities, but does not cover poultry, rabbits and other commercially slaughtered species. The AVMA is pursuing an amendment to the Humane Methods of Slaughter Act to bring all species slaughtered for commercial use under federal and state inspection.  

Status: The AVMA is working closely with the National Association of Federal Veterinarians (NAFV) and other groups to amend the Act to include all species slaughtered for commercial use under federal and state inspection.  

AVMA Position: Active Pursuit of Passage  
Primary Contact: Dr. Mark Lutschaunig

Legislation to Address the Issue of Unwanted/Retired Horses: If Congress decides that horses and other equids are prohibited from being processed for human consumption, it is estimated that each year an additional 90,000-115,000 unwanted U.S. horses would need to find an alternative method of care, or disposal if the horse is euthanized. A congressional ban on slaughter of horses will only lead to a crisis situation if the ramifications of such actions are not addressed. The AVMA is actively pursuing legislation that will deal with these ramifications. This legislation is necessary to insure the humane care and treatment of these unwanted horses, and would be developed with input from the American Association of Equine Practitioners (AAEP). The legislation would address the following: Euthanasia concerns; standards for horse retirement centers; proper disposal of healthy animal carcasses; proper disposal of diseased animal carcasses; education for the proper care of horses and disposition options.  

AVMA Position: Active Pursuit of Passage  
Primary Contact: Dr. Mark Lutschaunig

H.R. 503/S. 727 The Prevention of Equine Cruelty Act: This legislation would prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption. The AVMA is actively pursuing defeat because the legislation does not adequately address the following issues: disposition of affected horses, animal welfare/standards of care for retirement and rescue facilities, costs related to the care of the horses, and environmental concerns related to horse carcass disposal.  

Status: H.R. 503 was introduced on 1/14/09 and was referred to the committee on the Judiciary, Subcommittee on Crime, Terrorism, and Homeland Security. S. 727 was introduced on 3/26/09 and referred to the committee on the Judiciary.  

AVMA Position: Active Pursuit of Defeat  
Primary Contact: Dr. Mark Lutschaunig

H.R. 305 The Horse Transportation Safety Act: This bill would amend 49 USC to prohibit the transportation of horses in interstate transportation in a motor vehicle containing two or more levels stacked on top of one another.  

Status: H.R. 305 introduced 1/8/2009, referred to Committee on Transportation and Infrastructure, Subcommittee on Highways and Transit. On 7/29/2010, the Committee on Transportation and Infrastructure passed H.R. 305.  

AVMA Position: Active Pursuit of Passage  
Primary Contact: Dr. Mark Lutschaunig

H.R. 80/S. 462 Captive Primate Safety Act: This legislation amends the Lacey Act Amendments of 1981 to add nonhuman primates to the definition of "prohibited wildlife species" for purposes of the prohibition against the sale or purchase of such species in interstate or foreign commerce. The bill makes it unlawful for a person to import, export, transport, sell, receive, acquire, or purchase a live animal of any prohibited wildlife species in interstate or foreign commerce (i.e., for pet trade purposes), and sets forth exceptions to such prohibition, including, under certain conditions, for: (1) transporting a nonhuman primate to or from a veterinarian; (2) transporting a nonhuman primate to a legally designated caregiver as a result of the death of the preceding owner; and (3) transporting a single primate of the genus Cebus that was obtained from and trained by a charitable organization to assist a permanently disabled individual with a severe mobility impairment. H.R. 80/S 462 has an exception for the use of nonhuman primates as service animals which conflicts directly with current AVMA policy, Nonhuman Primates as Assistance Animals and indirectly with AVMA policy, Private Ownership of Wild Animals.  

Status: H.R. 80 introduced 1/26/2009, referred to Committee on Natural Resources. On 2/24/2009, H.R. 80 passed in the House and was sent to the Committee on Environment and Public Works in the Senate. On 7/20/2009, H.R. 80 passed out of the Committee on Environment and Public Works and was placed on the Senate Legislative Calendar.  

AVMA Position: Nonsupport  
Primary Contact: Dr. Mark Lutschaunig

H.R. 3266/S. 1495 Wounded Warrior K-9 Corps: The bill establishes a grant program to encourage the use of assistance dogs by certain members of the Armed Forces and veterans.  

Status: H.R. 3266 was introduced on July 20, 2009 and referred to the Committee on Armed Services and to the Committee on Veterans Affairs, Subcommittee on Economic Opportunity. S. 1495 was introduced on July 22, 2009 and referred to the Senate Committee on Veterans’ Affairs
**AVMA Position:** Support  
**Primary Contact:** Dr. Mark Lutschaunig

**H.R. 1326 The Great Ape Protection Act of 2009:** The bill would prohibit the conducting of invasive research on great apes. The AVMA is concerned that there is no funding mechanism for the long-term care of animals that will be placed into permanent retirement and that research focused on improving the health and welfare of affected species that is currently being conducted in zoological settings may be hindered.  
**Status:** H.R. 1326 introduced 3/5/2009 and referred to Energy & Commerce.  
**AVMA Position:** Nonsupport  
**Primary Contact:** Dr. Mark Lutschaunig

**H. Res. 355 Recognizing May 17-23 2009 as National Dog Bite Prevention Week:** Recognizing May 17-23, 2009, as National Dog Bite Prevention Week, and calling upon all municipalities to work with the AVMA, the U.S. Postal Service, and the American Academy of Pediatrics to adopt and implement effective dog bite injury prevention programs to protect Postal Service employees, including laws encouraging responsible dog ownership.  
**Status:** H.Res. 355 introduced 4/22/2009 and referred to the Committee on Oversight and Government Reform. While the bill did not pass in time for National Dog Bite Prevention Week (NDBPW 2009, the AVMA would like to see a resolution passed for NDBPW 2010.  
**AVMA Position:** Active Pursuit of Passage  
**Primary Contact:** Dr. Mark Lutschaunig

**H.R. 2480/S. 3610 Truth in Fur Labeling Act of 2009:** The bill amends the Fur Products Labeling Act to eliminate the exemption to fur labeling requirements for products containing relatively small amounts of fur; and permit states to enforce more restrictive labeling requirements. It also directs the Federal Trade Commission (FTC), in the Fur Products Name Guide, to replace the term "Raccoon, Asiatic" with "Dog, Raccoon."  
**AVMA Position:** Support  
**Primary Contact:** Dr. Mark Lutschaunig

**H.R. 3907/S. 1834 Pet Safety and Protection Act.** This legislation amends the Animal Welfare Act to list permissible sources of dogs and cats used by research facilities to include dogs and cats obtained: (1) from a licensed dealer; (2) from a publicly owned and operated pound or shelter that meets specified requirements; (3) by donation from a person who bred and raised the dog or cat and owned it for not less than one year; or (4) from a research facility licensed by the Secretary of Agriculture.  
**Status:** H.R. 3907 Introduced on 10/22/09 and referred to the Committee on Agriculture; S. 1834 Introduced on 10/21/2009 and referred to the Committee on Agriculture, Nutrition, and Forestry.  
**AVMA Position:** Nonsupport  
**Primary Contact:** Dr. Mark Lutschaunig

**H.R. 4733 Prevention of Farm Animal Cruelty Act.** This legislation would require Federal agencies to procure food products derived from certain animals only from sources that raised the animals free from cruelty and abuse.  
**Status:** Introduced on March 2, 2010 and referred to the Committee on Agriculture and the Committee on Oversight and Government Reform  
**AVMA Position:** Nonsupport  
**Primary Contact:** Dr. Mark Lutschaunig

**H.R. 5092 Prohibition of the Sale of Animal Crush Videos in Interstate or Foreign Commerce (H.R. 5566 and 5337 are related bills)** This legislation would amend section 48 (related to depiction of animal cruelty) of title 18, United States code so that whoever knowingly sells or offers to sell an animal crush video in interstate or foreign commerce for commercial gain shall be fined under title 18 or imprisoned not more than 5 years, or both. As defined by the legislation, “crush videos” are visual...
depictions (e.g., photographs, films, video recordings, electronic images) of animals being intentionally crushed, burned, drowned or impaled.

**Status:** The House of Representative passed H.R. 5566 on July 21, 2010. On September 28, 2010, the Senate amended and passed H.R. 5566. 11/30/2010 signed by the President P.L. 111-294

**AVMA Position:** Active Pursuit of Passage

**Primary Contact:** Dr. Mark Lutschaunig

### Environmental/Conservation Issues

**H.R. 388/S. 197 Crane Conservation Act of 2009:** The legislation sets up a fund under the Multinational Species Conservation Fund to assist in the conservation of cranes by supporting and providing, through projects of persons and organizations with expertise in crane conservation, financial resources for the conservation programs of countries the activities of which directly or indirectly affect cranes and the ecosystems of cranes.

**Status:** H.R. 388 introduced 1/9/2009, referred to Committee on Natural Resources. 4/21/2009 the legislation passed the House and was sent to the Senate Committee on Environment and Public Works. 7/20/2009, the bill passed out of Committee and was placed on the Senate Legislative Calendar.

**AVMA Position:** Support

**Primary Contact:** Dr. Mark Lutschaunig

**H.R. 411/S. 529, Great Cats and Rare Canids of 2009:** This bill assists in the conservation of rare felids and rare canids by supporting and providing financial resources for the conservation programs of nations within the range of rare felid and rare canid populations and projects of experts in the conservation of rare felid and rare canid populations.

**Status:** On 4/21/2009 the House passed H.R. 411 referred to the Senate Committee on Environment and Public Works.

**AVMA Position:** Support

**Primary Contact:** Dr. Mark Lutschaunig

**H.R. 669 The Nonnative Wildlife Invasion Prevention Act:** H.R. 669 would establish a risk assessment process to prevent the introduction into, and establishment in, the United States of nonnative wildlife species that will cause or are likely to cause economic or environmental harm or harm to other animal species’ health or human health. While the intent of H.R. 669 is consistent with AVMA Policy; this legislation as written will not achieve its intended purpose.

**Status:** H.R. 669 introduced on 1/26/2009, referred to the Committee on Natural Resources. On 7/23/2009, a hearing was held in the Subcommittee on Insular Affairs, Oceans and Wildlife.

**AVMA Position:** Non support

**Primary Contact:** Dr. Mark Lutschaunig

**H.R. 556/ S. 1748 Southern Sea Otter Recovery and Research Act:** The bill would establish a program of research, recovery, and other activities to provide for the recovery of the southern sea otter.

**Status:** Introduced 1/15/2009, referred to House Committee on Natural Resources. Subcommittee hearing held on 5/5/2009. H.R. 556 passed the House under suspension of the rules on 7/28/2009 by a vote of 316-107. On 7/29/2009 the bill was received in the Senate and referred to the Committee on Commerce, Science, and Transportation. S. 1748 was introduced on 10/1/2010 and referred to the Committee on Commerce, Science, and Transportation. On 12/10/2010, the committee reported with an amendment in the nature of a substitute, placed on Senate Legislative Calendar.

**AVMA Position:** Support

**Primary Contact:** Dr. Mark Lutschaunig

**H.R. 1454 Multinational Species Conservation Funds Semipostal Stamp Act of 2009:** The bill requires the U.S. Postal Service to issue and sell, at a premium, a Multinational Species Conservation Funds Semipostal Stamp. It directs the proceeds from the sale of such stamp to be transferred to the United States Fish and Wildlife Service (USFWS) to help fund the operations supported by the Multinational Species Conservation Funds; and divided equally among the African Elephant Conservation Fund, the Asian Elephant Conservation Fund, the Great Ape Conservation Fund, the Marine Turtle Conservation Fund, and the Rhinoceros and Tiger Conservation Fund. It prohibits such proceeds from being taken into account in any decision relating to the level of appropriations or other federal funding to be furnished to the USFWS or such Funds.


**AVMA Position:** Support

**Primary Contact:** Dr. Mark Lutschaunig
H.R. 1018/S.1579 Restoring Our American Mustangs (ROAM) Act: The bill would amend the Wild Free-Roaming Horses and Burros Act to re-open original lands to wild horse and burro population, does not allow horses/burros available for adoption to be housed in short- or long-term facilities for more than six months, does not allow for the removal of any animal unless “fatally injured or terminally ill.” Although the bill provides for greater efforts in the adoption program, as well as more research, development and implementation of fertility control measures (be that through surgical, immunococontraceptive, or other safe approaches), it is apparent the population of horses/burros to be managed will soon overwhelm any additional rangeland allocated under H.R. 1018/S. 1579. The AVMA believes that the bill as written has unintended consequences that need to be addressed prior to passage of the legislation.

**Status:** Introduced 2/12/2009, referred to Natural Resources Committee, Subcommittee on National Parks, Forests and Public Lands. Subcommittee hearing held on 3/3/2009. The Subcommittee discharged the bill to the Full Committee and the bill was reported out of Committee as Amended by the Yeas and Nays; 21-14. Passed the House by a vote of 239-185 on 7/17/2009. On 7/20/2009 bill received in the Senate, referred to the Committee on Energy and Natural Resources. S. 1579 was introduced on 8/5/2009 and referred to the Committee on Energy and Natural Resources.

**AVMA Position:** Nonsupport

**Primary Contact:** Dr. Mark Lutschaunig

H.R. 3215 Authorization to Hunt and Kill Burmese Pythons in Everglades National Park: The bill would authorize the Secretary of the Interior, acting through the National Park Service Superintendent of the Everglades National Park, to allow individuals to hunt and kill Burmese pythons within the boundaries of that Park.

**Status:** H.R. 3215 introduced 7/14/2009, referred to the House Committee on Natural Resources, Subcommittee National Parks, Forests and Public Lands.

**AVMA Position:** Nonsupport

**Primary Contact:** Dr. Mark Lutschaunig

H.R. 2811/S. 373 Constrictor snakes as injurious wildlife. This legislation would amend the federal criminal code to add the constrictor snake of the species Python genera to the list of injurious species that are prohibited from being shipped or imported into the United States.

**Status:** H.R. 2811 was introduced on June 10, 2009 and referred to the House Committee on the Judiciary, Subcommittee on Crime, Terrorism, and Homeland Security. On July 28, 2009 the Subcommittee forwarded the bill to the Full Committee by voice vote. On December 20, 2010 an amended bill was reported by the Judiciary Committee. The amended version of H.R. 2811 included only Burmese Python of the species Python molurus bivittatus; of the African Rock Python of the species Python sebae. S. 373 was introduced on February 3, 2009 referred to the Senate Committee on Environment and Public Works. On May 5, 2010, the committee reported an amended bill, which was placed on the Senate calendar. The amended version included only nine species of constrictor snakes that had undergone a risk assessment by the U.S. Fish and Wildlife Service.

**AVMA Position:** S. 373-No Action; H.R. 2811 Nonsupport

**Primary Contact:** Dr. Mark Lutschaunig


**Status:** H.R. 3086 was introduced on June 26, 2009 and referred to the Committee on Natural Resources, Subcommittee on Insular Affairs, Oceans and Wildlife and in addition to the Committee on Foreign Affairs. A Subcommittee hearing was held on July 28, 2009.

**AVMA Position:** Nonsupport

**Primary Contact:** Dr. Mark Lutschaunig

H.R. 2455 International Whale Conservation and Protection Act. The International Whale Conservation and Protection Act amends the Whale Conservation and Protection Study Act to rename it as the International Whale Conservation and Protection Act of 2009. The legislation requires the Secretary of Commerce, in cooperation with the Secretary of State, to: (1) restate strong U.S. opposition to commercial whaling and to refuse to engage in any negotiation or reinterpretation of the International Wildlife Rehabilitation Council that would weaken the moratorium on commercial whaling, create new categories of whaling, condone lethal scientific whaling, or weaken whale conservation and protection; and (2) support subsistence whaling and the development of the Aboriginal Whaling Management Scheme.

**Status:** H.R. 2455 was introduced on May 18, 2009 and referred to the Committee on Natural Resources, Subcommittee on Insular Affairs, Oceans and Wildlife and in addition to the Committee on Foreign Affairs, Committee on Ways and Means, and the Committee on Transportation and Infrastructure, Subcommittee on Coast Guard and Maritime Transportation.

**AVMA Position:** No Action

**Primary Contact:** Dr. Mark Lutschaunig
H.R. 3173/S. 1421 Asian Carp Prevention and Control Act. This legislation would amend section 42 of title 18, United States Code, to prohibit the importation and shipment of certain species of carp.  

**Status:** H.R. 3173 was introduced on July 10, 2009 and referred to the House Committee on the Judiciary.  S. 1421 was introduced on July 9, 2009 and was referred to the Senate Committee on Environment and Public Works.  On 5/5/2010, S. 1421 passed out of committee and placed on the Senate Calendar.  On 11/17/2010, Senate passed S. 1421 by unanimous consent. On 12/1/2010 passed by the House on the suspension calendar. 12/14/2010 signed by the President (P.L. 111-307).  

**AVMA Position:** No Action  
**Primary Contact:** Dr. Mark Lutschaunig

H.R. 51 Eradicating Asian Carp in the Great Lakes Study Act. This legislation requires the Director of the United States Fish and Wildlife Service to study and report to Congress on methods for eradicating Asian carp from the Illinois Waterway System, including harvesting them from the Illinois River, and repopulating the River with native species  

**Status:** H.R. 51 was introduced on January 6, 2009 and referred to the House Committee on Natural Resources, Subcommittee on Insular Affairs, Oceans and Wildlife.  

**AVMA Position:** No Action  
**Primary Contact:** Dr. Mark Lutschaunig

H.R. 4363 National Sustainable Offshore Aquaculture Act. This legislation would establish a regulatory system for sustainable offshore aquaculture in the United States exclusive economic zone; authorize the Secretary of Commerce determine appropriate locations for, permit, regulate, monitor, and enforce offshore aquaculture in the exclusive economic zone; require the Secretary of Commerce to issue regulations for permitting of offshore aquaculture in the exclusive economic zone that prevent impacts on the marine ecosystem and fisheries or minimize such impacts to the extent they cannot be avoided; establish a research program to guide the precautionary development of offshore aquaculture in the exclusive economic zone that ensures ecological sustainability and compatibility with healthy, functional ecosystems.  

**Status:** Introduced 12/16/09 and referred to House Natural Resources Committee  
**AVMA Position:** Nonsupport  
**Primary Contact:** Dr. Mark Lutschaunig

**Federal Employment**

**Equity in Federal Veterinary Pay:** There is an increasing need for highly trained veterinarians in federal employment. Veterinarians in Federal service are on the front lines of the nation’s homeland security efforts. At the present time, Federal agencies lack sufficient incentives to recruit and retain the best and brightest veterinarians. The government needs to keep and attract new veterinarians. To do so, it must improve compensation packages for federally employed veterinarians. More than 25% of Federal veterinarians will qualify for retirement in the next five years. The Office of Personnel Management level the playing field for federal agencies employing veterinarians by establishing specialty pay rates on par with other medical personnel, providing professional development opportunities including leadership training and continuing education, and board certification.  

**Status:** GRD staff is working closely with the National Association of Federal Veterinarians (NAFV) in seeking administrative and legislative solutions to rectify inequities.  
**AVMA Position:** Active Pursuit of Passage  
**Primary Contact:** Dr. Ashley S. Morgan

**H.R. 5105/S. 3263 Establishing a Chief Veterinary Officer (CVO) in the Department of Homeland Security (DHS):** The CVO would report directly to the Chief Medical Officer in the Office of Health Affairs, and would head the Division of DHS that has responsibility for veterinary issues, food defense, and agricultural security. In addition, the CVO would have primary responsibility within DHS for responsibilities related to veterinary medicine and veterinary public health.  

**Status:** H.R. 5105 was introduced 4/21/2010 and referred to the Committee on Homeland Security (Subcommittee on Emerging Threats, Cybersecurity, and Science and Technology) and the Committee on Agriculture.  H.R. 5105 was passed out of the Committee on Homeland Security on 6/23/10 and discharged out of the Committee on Agriculture on 12/22/10.  S. 3263 was introduced on 4/27/10 and referred the Committee on Homeland Security and Governmental Affairs.  

**AVMA Position:** Support  
**Primary Contact:** Dr. Ashley S. Morgan

**Federal Loan Repayment Program for Veterinarians:** Increase effectiveness of the Federal student loan repayment program, 5 U.S.C. § 5379. Federal agencies, at their discretion, may use the program to recruit and retain candidates and current employees; however, the annual and aggregate loan repayment limits are not competitive to attract adequate numbers of veterinarians to federal service. Congress is urged to increase from $10,000 to $25,000 the annual loan repayment and from $60,000 to $120,000 the aggregate loan repayment. Additionally, this program needs to be made tax exempt. There is no doubt that all federal agencies using the program would benefit from these improvements.
Food Safety Issues

Food Animal Residue Avoidance Databank: The Food Animal Residue Avoidance Databank (FARAD) is the primary source of scientifically based recommendations for withdrawal intervals after extra-label drug use. FARAD also is an invaluable source of residue mitigation information when food animals are exposed to environmental contaminants. Funding for FARAD needs to be stabilized and the program needs to be relocated to an agency other than NIFA (National Institute on Food and Agriculture). Status: FARAD is level-funded in the short-term spending bill (HR 3082) passed to keep most programs operating at FY 2010 levels through 3/4/2011.

AVMA Position: Active Pursuit of Passage
Primary Contact: Dr. Ashley S. Morgan and Gina Luke

S. 510 FDA Food Safety Modernization Act of 2009: S. 510 would amend the Federal Food, Drug, and Cosmetic Act to expand the authority of the Secretary of Health and Human Services to regulate food. Each food facility would be required to evaluate hazards and implement preventive controls. The Secretary would assess and collect fees related to food facility re-inspection, food recalls, and the voluntary qualified importer program. The Secretary of HHS and the Secretary of Agriculture would prepare the National Agriculture and Food Defense Strategy. The Secretary would identify preventive programs and practices to promote the safety and security of food, promulgate regulations on sanitary food transportation practices, develop a policy to manage the risk of food allergy and anaphylaxis in schools and early childhood education programs, allocate inspection resources based on the risk profile of food facilities or food, recognize bodies that accredit food testing laboratories, and improve the capacity of the Secretary to track and trace raw agricultural commodities. The Secretary, acting through the Director of the Centers for Disease Control and Prevention (CDC), would enhance food-borne illness surveillance systems. The Secretary would be authorized to order a mandatory recall of food. The legislation also provides for foreign supplier verification activities, a voluntary qualified importer program, and the inspection of foreign facilities registered to import food.

Status: Passed out of committee 12/18/2009. After much debate, the bill was passed by the Senate on 11/30/10. On 12/19/10, the Senate agreed by unanimous consent to strike all after the enacting clause of H.R. 2751 and insert the text of S 510. On 12/21/10 the House passed H.R. 2751 and the legislation was sent to the President for signing.

AVMA Position: Support
Primary Contact: Dr. Ashley Shelton

Proposed Senate Food Safety Amendment—Elimination of Dangerous Drug Residues in Equines: The Elimination of Dangerous Drug Residue Risks in Equines amendment would prohibit the transport of equines in interstate or foreign commerce for purpose of slaughter for human consumption, unless each equine is accompanied by a veterinary certificate issued within seven days certifying that the following substances have not been administered to the equine in the preceding year: acepromazine maleate, boldenone undecylenate, boldenone, clenbuterol HCl, fenbendazole, furazolidone, hyaluronic acid, ivermectin, ketoprofen, moxidectin, nitrofurazone, omeprazole, phenylbutazone, piperazine phosphate, polysulfated glycosaminoglycan, ponazuril, praziquantel, pyrantel pamoate, pyrantel tartrate, stanozolol, thiabendazole, tolazoline HCl, or xylazine HCl.

Status: Not yet introduced

AVMA Position: Active Pursuit of Defeat
Primary Contact: Dr. Ashley S. Morgan

H.R. 1332 Safe Food Enforcement, Assessment, Standards, and Targeting Act of 2009: H.R. 1332 seeks to amend the Federal Food Drug and Cosmetic Act with respect to the safety of the food supply. Enactment of HR 1332 gives FDA expanded access to food facility records and expands the registration requirements for food facilities. Mandatory recall authority is granted to FDA. FDA is also given authority to issue performance standards, quite possibly to the farm level. The Secretary is required to develop a National Agricultural and Food Defense Strategy and research agenda with USDA and DHS. FDA is directed to review laboratory accrediting bodies, and DHS is required to work with HHS, USDA, and EPA in effectively integrating laboratory networks. The Secretary is required to enhance trace back and recordkeeping, as well as food-borne illness surveillance. There is also a title concerning specific provisions for imported foods.

Status: H.R. 1332 was introduced on 3/5/2009 and referred to the Committees on Agriculture and Energy and Commerce.

AVMA Position: Support
Primary Contact: Dr. Ashley S. Morgan


Status: GRD works with the National Association of Federal Veterinarians (NAFV) to solicit support on Capitol Hill.

AVMA Position: Support
Primary Contact: Ms. Gina Luke
**Status:** H.R. 814 was introduced on 2/3/2009 and referred to the Committees on Agriculture and Energy and Commerce.

**AVMA Position:** Nonsupport

**Primary Contact:** Dr. Ashley S. Morgan


**Status:** H.R. 815 was introduced on 2/3/2009 and referred to the Committees on Agriculture and Energy and Commerce.

**AVMA Position:** Nonsupport

**Primary Contact:** Dr. Ashley S. Morgan

H.R. 759 FDA Globalization Act: H.R. 759 seeks to amend the Federal Food Drug and Cosmetics Act to improve the safety of food drugs devices and cosmetics in the global market and for other purposes. Enactment of H.R. 759 will set forth provisions governing food safety for each food facility requiring hazard analysis of facilities that manufacture, process, pack, transport or hold food; identification and implementation of preventative controls; and a written food safety plan.

**Status:** H.R. 759 was introduced on 1/28/2009 and referred to the Committee on Energy and Commerce.

**AVMA Position:** Nonsupport

**Primary Contact:** Dr. Ashley S. Morgan

H.R. 875 Food Safety Modernization Act: HR 875 seeks to establish the Food Safety Administration within the Department of Health and Human Services headed by the Administrator of Food Safety, appointed by the President. Enactment of HR 875 would transfer all food safety activities to the new agency from the following existing agencies: Center for Food Safety and Applied Nutrition (CFSAN); Center for Veterinary Medicine (CVM); National Center for Toxicological Research (NCTR); Office of Regulatory Affairs; National Marine Fisheries Service (NMFS); National Oceanic and Atmospheric Administration (NOAA). HR 875 also renames the Food and Drug Administration as the Federal Drug and Device Administration.

**Status:** H.R. 875 was introduced on 2/4/2009 and referred to the Committees on Agriculture and Energy and Commerce.

**AVMA Position:** Nonsupport

**Primary Contact:** Dr. Ashley S. Morgan

H.R. 2749 Food Safety Enhancement Act: H.R. 2749 would amend the Federal Food, Drug, and Cosmetic Act to improve the safety of food in the global market and for other purposes. Food, including livestock and poultry, and facilities regulated by the Secretary of Agriculture are exempt from provisions in the bill.

**Status:** H.R. 2749 was introduced on 6/8/2009 and referred to the House Energy and Commerce Committee. The bill was passed in the House on 7/30/2009 (283-142) and referred to the Senate Committee on Health, Education, Labor and Pensions on 8/3/2009.

**AVMA Position:** No Action

**Primary Contact:** Dr. Ashley S. Morgan

H.R. 1150 Laboratory Surge Capacity Preparedness Act: H.R. 1150, the Laboratory Surge Capacity Act, authorizes the Secretary of Homeland Security to award grants on a competitive basis to regional biocentrature laboratories for maintaining surge capacity that can be used to respond to acts of bioterrorism or outbreaks of infectious diseases, and for other purposes.

**Status:** H.R. 1150 was introduced on 3/2/2009 and referred to House Committee on Energy and Commerce and House Committee on Homeland Security--Subcommittee on Emergency Communications, Preparedness, and Response.

**AVMA Position:** Support

**Primary Contact:** Dr. Ashley S. Morgan

S. 1527 Unsafe Meat and Poultry Recall Act: S. 1527, the Unsafe Meat and Poultry Recall Act, would amend the Federal meat Inspection Act and the Poultry Products Inspection Act to authorize the Secretary of Agriculture to order the recall of meat and poultry that is adulterated, misbranded or otherwise unsafe.

**Status:** S. 1527 was introduced on 7/28/2009 and referred to Senate Committee on Agriculture, Nutrition, and Forestry.

**AVMA Position:** Nonsupport

**Primary Contact:** Dr. Ashley S. Morgan

S. 1269 Food Safety Rapid Response Act: S. 1269 contains three major provisions: The bill (1) directs the Centers for Disease Control to enhance the nation’s foodborne disease surveillance system by improving the collection, analysis, reporting and usefulness of data among local, state and federal agencies as well as the food industry; (2) directs the Centers for Disease Control to provide support and expertise to state health agencies and laboratories for their investigations of foodborne disease, including promoting “best practices” for food safety investigations; and (3) establishes regional “Food Safety Centers of Excellence.” Based on collaborations between selected higher education institutions and state public health agencies, these centers would assist state and local agencies, building on Minnesota’s Team D model for investigating foodborne disease outbreaks.

**Status:** S. 1269 was introduced on 6/16/2009 and referred to Senate Committee on Health, Education, Labor, and Pensions.
AVMA Position: Support
Primary Contact: Dr. Ashley S. Morgan

S 425 Food Safety and Tracking Improvement Act: S. 425, the Food Safety and Tracking Improvement Act, amends the Federal Food, Drug, and Cosmetic Act to provide for the establishment of a traceability system for food, to amend the Federal Meat Inspection Act, the Poultry Products Act, the Egg Products Inspection Act, and the Federal Food, Drug, and Cosmetic Act to provide for improved public health and food safety through enhanced enforcement.
Status: S. 425 was introduced on 2/12/2009 and referred to Senate Committee on Agriculture, Nutrition, and Forestry.
AVMA Position: Support
Primary Contact: Dr. Ashley S. Morgan

S 1693 Safe Food for Schools Act of 2009/H.R. 4590 School Meat Safety and Standards Act: S. 1693/H.R 4590 seek to amend the Richard B. Russell National School Lunch Act to require the Secretary to ensure the safety of school meals by enhancing coordination with States and schools operating school meal programs in the care of a recall of contaminated food.
Status: S. 1693 was introduced on 9/22/2009 and referred to Senate Committee on Agriculture, Nutrition and Forestry. H.R. 4590 was introduced on 2/3/2010 and referred to House Committee on Education and Labor.
AVMA Position: Support
Primary Contact: Dr. Ashley S. Morgan

S. 3163 Meat Safety and Accountability Act of 2010: This legislation would amend the Federal Meat Inspection Act to require tracing of meat and meat food products that are adulterated or contaminated by enteric foodborne pathogens to the source of the adulteration or contamination.
Status: Introduced 3/24/10 and referred to Senate Committee on Agriculture, Nutrition and Forestry
AVMA Position: Nonsupport
Primary Contact: Dr. Ashley S. Morgan

S. 3435 To amend the Federal Meat Inspection Act to revise the definition of the term “Adulterated” to include contamination with E. coli. This legislation would define any carcass or part thereof, meat, or meat food product that is contaminated with enterohemorrhagic (EHEC) Shiga toxin-producing serotypes of Escherichia coli (E. coli) as “adulterated”.
Status: Introduced on 5/27/2010 and referred to Senate Committee on Agriculture, Nutrition, and Forestry.
AVMA Position: Nonsupport
Primary Contact: Dr. Ashley S. Morgan

H.R. 6024 E. coli Traceability and Eradication Act: Amends the Federal Meat Inspection Act to require that specified slaughterhouses, processing establishments, and grinding facilities perform specified tests for the presence of Shiga toxin-producing E. coli in beef. Subjects imported trim, bench trim, and ground beef to the same testing requirements as domestic trim, bench trim, and ground beef.
Status: Introduced on 7/30/10 and referred to House Committee on Agriculture. On 11/16/2010 the legislation was referred to the Subcommittee on Livestock, Dairy, and Poultry.
AVMA Position: Nonsupport
Primary Contact: Dr. Ashley S. Morgan

S. 2792 E. coli Eradication Act of 2009: Amends the Federal Meat Inspection Act to require that slaughterhouses, processing establishments, and grinding facilities perform specified tests for the presence of E. coli O157:H7 in ground beef. Subjects imported trim, bench trim, and ground beef to the same testing requirements as domestic trim, bench trim, and ground beef.
Status: Introduced on 11/18/2009 and referred to Senate Committee on Agriculture, Nutrition, and Forestry.
AVMA Position: Nonsupport
Primary Contact: Dr. Ashley S. Morgan

H.R. 3624 Poison-Free Poultry Act of 2009: Amends the Federal Food, Drug, and Cosmetic Act to deem the arsenic compound known as roxarsone to be an unsafe food additive.
Status: Introduced on 9/22/2009 and referred to House Energy and Commerce Committee’s Subcommittee on Health.
AVMA Position: Nonsupport
Primary Contact: Dr. Ashley S. Morgan

Legal Status of Animals

Non-Economic Damages
Primary Contact: Dr. Mark Lutschaunig
Legal Status of Animals:
Primary Contact: Dr. Mark Lutschaunig

Pharmaceutical Issues

H.R. 1549/S. 619 Preservation of Antibiotics for Medical Treatment Act: The Preservation of Antibiotics for Medical Treatment Act would amend the Federal Food, Drug, and Cosmetic Act to purportedly preserve the effectiveness of medically important antibiotics used in the treatment of human and animal disease. The stated purpose of the bills “is to preserve the effectiveness of medically important antibiotics used in the treatment of human and animal diseases by phasing out use of certain antibiotics for nontherapeutic purposes in food-producing animals.”
AVMA Position: Active Pursuit of Defeat
Primary Contact: Dr. Ashley S. Morgan

H.R. 2400 Strategies to Address Antimicrobial Resistance (STAAR) Act: H.R. 2400 seeks to amend the Public Health Service Act to enhance efforts to address antimicrobial resistance. Enactment of H.R. 2400 would establish an Antimicrobial Resistance Office and a Public Health Antimicrobial Advisory Board in the Office of the Secretary of Health and Human Services. The bill also has provisions for the collection of antimicrobial drug data and the establishment of antimicrobial resistance surveillance and research network sites.
Status: H.R. 2400 was introduced on 5/13/2009 and referred to the Committee on Energy and Commerce.
AVMA Position: Nonsupport
Primary Contact: Dr. Ashley S. Morgan

Research Issues

National Research Support Project-7/Minor Use Animal Drug Program (P.L. 110-234): The mission of NRSP-7 is to identify animal drug needs for minor species and minor uses in major species, to generate and disseminate data for safe and effective therapeutic applications, and to facilitate FDA approval for drugs identified as a priority for a minor species or minor use. The AVMA is actively pursuing language that authorizes NRSP-7 and advocating for federal appropriations to fund this important program.
AVMA Position: Active Pursuit of Passage
Primary Contact: Dr. Ashley S. Morgan

H.R. 4269 Battlefield Excellence through Superior Training (BEST) Practices Act. This legislation would amend title 10, United States Code, to require the Secretary of Defense to use only human-based methods for training members of the Armed Forces in the treatment of severe combat and chemical and biological injuries.
Status: Introduced 12/10/2009 and referred to the House Committee on Armed Services; on 01/12/2010 the legislation was referred to the Subcommittee on Military Personnel
AVMA Position: Nonsupport
Primary Contact: Dr. Mark Lutschaunig

Small Business Agenda

Identity Theft Issues

P.L. 111-319 Red Flag Program Clarification Act (S. 3987): The Federal Trade Commission issued the Red Flags Rule to require financial institutions and creditors to establish programs to detect and respond to warning signs of identity theft (red flags). The FTC defined creditors as including businesses that bill customers after providing services, such as health care providers and other professionals.
Status: President Obama 12/18/10 signed the Red Flag Program Clarification Act into law thereby exempting health care providers from the rule except for those that offer direct loans or credit to clients.
AVMA Position: Active Pursuit of Passage
Primary Contact: Ms. Gina Luke

Tax and Business Issues

Extend Tax Provisions beneficial to Veterinary Practices: 1) Extend and expand bonus depreciation tax provision. Up until the end of 2009, veterinary practices could benefit from extended favorable tax treatment related to the purchase of new equipment with 50% bonus depreciation and an election to expense or write off up to $250K of equipment purchases in the year of purchase; 2) extend small business expensing which allows a small business to write off up to $250K in
capital expenditures; 3) extend new vehicle deduction -- a deduction for the sales tax paid on a vehicle is a huge help, subject to income limitations of $135K for single taxpayers and $260K for joint filers. **Status:** H.R. 5297 extends several tax provisions for small business. President Obama signed the bill into law 9/28/2010.

**AVMA Position:** Support

**Primary Contact:** Ms. Gina Luke

P.L. 111-312 ((H.R. 4853) Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act, signed by President Obama on 12/17/2010, was supported by bi-partisan majorities in the Senate and House. The $858-B tax package extends the 2001/2003 tax cuts, cuts payroll taxes, creates business investment incentives and adjusts eligibility for unemployment benefits. A summary of key provisions:

- **Extension of the 2001/2003 Income-Tax Rates:** The legislation resolves an impasse in over tax rates by extending the 2001/2003 income tax rates for two years and reforming the AMT to ensure that an additional 21 million households will not be hit with a tax increase. These measures will provide relief to more than 100 million middle-class families and prevent a tax increase of over $2,000 for the typical family.

- **Payroll Tax Break for Workers:** The measure provides a 2% payroll tax cut for employees, reducing their Social Security tax withholding rate from 6.2% to 4.2% of wages paid for over 155 million workers -- providing tax relief of $112-B in 2011. This reduced Social Security withholding will have no effect on the employee’s future Social Security benefits.

- **100% Expensing for Businesses:** The measure includes a provision to temporarily allow businesses to expense all of their investments in 2011.

- **Higher Education Tax Provisions:** Several higher education tax benefits were included in the package. Of particular interest to young veterinarians who are still paying student loans, is the extension of the Student Loan Interest Deduction (through 2012). Currently, taxpayers whose income does not exceed certain thresholds can take an annual tax deduction of up to $2,500 for interest paid on student loans. The amount of the deduction is phased out for joint filers with AGI between $120K and $150K and for single taxpayers with AGI between $60K and $75K. Without an extension, those limits would have been lowered to $60K to $75K for joint filers and $40K to $55K for single filers effective January 1, 2011. The law also includes a two-year extension (through 2012) of the following financial aid provisions: The American Opportunity Tax Credit for undergraduate students; the above-the-line tax deduction for qualified education expenses; expanded tax-free contributions to Coverdell Education Savings Accounts; expanded tax exemption for employer-provided educational assistance; and the exclusion from income of amounts received under certain scholarship programs.


**AVMA Position:** Support

**Primary Contact:** Ms. Gina Luke

P.L. 111-240, H.R. 5297 Small Business Jobs & Credit Act increases limits on SBA loans; provides a 1-year, temporary deduction of health costs for payroll tax purposes for the self-employed on their 2010 tax returns; allows small business investors to take a 100% exclusion from capital gains taxes on small business investments made in 2010; temporarily increases the maximum deduction for business start-up expenditures in 2010-2011; extends the Sec. 179 expensing provision that allows small businesses to immediately expense up to $500K (up from $250K) for tangible personal property and up to $250K for improvements to leasehold property and retail property; allows businesses to immediately write-off 50% of the cost of capital expenditures for 1 additional year for qualifying property purchased and placed into service in 2010; extends some bonus depreciation provisions; temporary reduces the asset holding period for converted S-Corps from 10 years to 5 years; allows small businesses to use all types of general business tax credits to offset AMT liability.

**Status:** President Obama on 9-28-2010 signed H.R. 5297 into law PL 111-240.

**AVMA Position:** Support

**Primary Contact:** Ms. Gina Luke

Alternative Minimum Tax (AMT): AMT is imposed under 26 U.S.C. § 55 and disallows many deductions and exemptions allowable in computing regular tax liability. The AMT sets a minimum tax rate of either 26% or 28% on some taxpayers who have what are known as "tax preference items" (long-term capital gains, accelerated depreciation, certain medical expenses, percentage depletion, certain tax-exempt income, certain credits, personal exemptions and the standard deduction). AMT was originally designed to limit the amount of tax sheltering that high-income taxpayers could pursue and to assure that filers paid taxes. AMT is not indexed to inflation resulting in an increasing number middle-class taxpayers being impacted. The AVMA supports legislation to reform AMT to stop the dramatic increase in taxes paid by the middle-class, including veterinarians.

**Status:** H.R. 5297 which was signed by President Obama on 9/28/2010 includes General Business Credits Not Subject to AMT Limits which allows small businesses to use all types of general business tax credits to offset AMT liability.

**AVMA Position:** Support

**Primary Contact:** Ms. Gina Luke
S. 1381, Small Business Tax Relief Amends IRC to increase and make permanent the election to expense small business assets, including computer software, in the current taxable year; reduce graduated tax rates for corporations with taxable incomes of less than $10-M; exempt income attributable to business tax credits from the AMT; allow 5-year carrybacks for business tax credits and small business net operating losses; allow an enhanced tax deduction for income attributable to small business domestic production activities; reduce to 5 years the recognition period for the built-in gains of S-corps; exclude from gross income all gain from the sale of certain small business stock before 2011; and allow a deduction from the income of self-employed individuals for health insurance costs.


AVMA Position: Support
Primary Contact: Ms. Gina Luke

S. 1402/H.R. 1552, Small Business Jump Start Act reduces taxes on new small businesses by doubling the deduction they can take for start-up expenses from $5K to $10K (in the 1st year). The Act would increase the threshold for the deductions phase-out from $50K to $60K; widen the pool of businesses eligible to take the full deduction in their first year of business.

Status: S. 1381 introduced on 6/25/2009, referred to Finance Committee. H.R. 5297 which was signed by President Obama on 9/28/2010 temporarily increases the maximum deduction for business start-up expenditures in 2010 and 2011 from $5K to $10K subject to a $60K threshold.

AVMA Position: Support
Primary Contact: Ms. Gina Luke

S. 2973 / H.R. 4585, Small Business Job Creation Tax Act provides a one-time tax credit to businesses that increase their payroll. Small businesses receive a 20% credit, and businesses with 100 or more employees would be eligible for a 15% credit; allows a deduction of a percentage of their increased payroll costs; limits total credit amount available for all quarters to $500K.


AVMA Position: Support
Primary Contact: Ms. Gina Luke

S. 2983, Hire Now Tax Act exempts for-profit and nonprofit employers from paying the employer’s portion of Social Security taxes in 2010 for new employees who are hired after 2/3/2010 who had been without full-time work for at least 60 days. Allows an increase in the general business tax credit for the retention of such employees for at least 1 year at specified wage levels.


AVMA Position: Support
Primary Contact: Ms. Gina Luke

S. 2985/H.R. 4309, Small Start-up Savings Accounts Act establishes tax-exempt Small Business Start-up Savings Accounts (SBSSAs) for qualifying start-up costs to pay for trade or business expenses, including the purchase of equipment or facilities, capital costs, organizational expenses, marketing, training, incorporation, accounting fees within the first six months. Allows annual contributions to SBSSAs up to $10K with a lifetime maximum of $150K.


AVMA Position: Support
Primary Contact: Ms. Gina Luke

H.R. 3501 Humanity and Pets Partnered through the Years (HAPPY) Act seeks to amend the Internal Revenue Code to allow a taxpayer to reduce his or her taxable income by up to $3,500 per year for qualified pet care expenses (including veterinary care) for legally owned domesticated live animals.


AVMA Position: Support
Primary Contact: Ms. Gina Luke

Pet Health Insurance as an Eligible Benefit for Treatment Under Section 125 of the IRS Code (cafeteria plan): The pet health insurance industry has seen steady growth since 1997. In 2007, sales were approximately $210 million in annual premiums, a compound annual growth rate of approximately 20%, reflecting total growth of 107%. The market for pet insurance is forecast to reach $1.2 billion by 2012. The rise in pet insurance’s popularity coincides with increased spending for veterinary care, as pet owners seek the best care possible for their pets. Pet insurance is increasingly being offered as a voluntary benefit through either direct pay or payroll deduction due to employee request. Pet health insurance as a voluntary benefit under Section 125 of the IRS Code (cafeteria plan) would be extremely attractive for employers who are constantly looking for added employment benefits that do not increase their cost and provide value to the employee. Being able to budget and receive automatic payroll deductions with pre-tax dollars is both attractive and highly sought after by the 68.7 million households of American families who are pet owning consumers.
*Status:* No legislation has been introduced at this time.

**AVMA Position:** Active Pursuit of Passage

**Primary Contact:** Ms. Gina Luke

### Employer and Employee Benefits Package Issues

**Small Business Health Plan Legislation:** The escalating cost of health care is straining the ability of small businesses, including veterinary hospitals, to continue offering this benefit to employees while remaining profitable. Small business health plan legislation would allow nationwide business associations to offer more affordable health insurance plans to their member businesses.

**AVMA Position:** Active Pursuit of Passage

**Primary Contact:** Ms. Gina Luke

**H.R. 544, Flexible Health Savings Act:** Rules applying to health flexible savings account (FSA) would change under HR 544 by allowing up to $500 of unused money in such accounts to be permanently carried over to subsequent plan years. Currently, unused money must be used by March 15 following the year during which the money was deposited. Allows unused amounts to be rolled into certain other savings plans, including health savings accounts (HSAs) or qualified retirement plans.

**Status:** H.R. 544 introduced 1/14/2009, referred to Ways & Means.

**AVMA Position:** Support

**Primary Contact:** Ms. Gina Luke

**S. 988 SIMPLE Cafeteria Plan Act** would allow small businesses to set up simple cafeteria plans to provide nontaxable employee benefits to their employees. The bill makes changes in the requirements for cafeteria plans, flexible spending accounts, and benefits provided under such plans or accounts; exempts employers who make contributions for employees under a simple cafeteria plan from pension plan nondiscrimination requirements applicable to highly compensated and key employees; modifies rules applicable to employee benefit flexible spending arrangements, including health and dependent care arrangements, to permit participants to make or modify elections regarding covered benefits. It allows up to $500 (indexed for inflation) of unused benefits to the succeeding year or transfer such unused amounts to another plan, including an individual retirement plan or a health savings account. The bill also allows an exclusion from the gross income of an employee of up to $7,500 ($10K for employees with one or more dependents) for employer contributions to a flexible spending arrangement. It provides for a cost-of-living adjustment to such exclusion after 2010. A Simple Cafeteria Plan is defined as a cafeteria plan which is established and maintained by an employer with an average of 100 or fewer employees during a two-year period. It requires employers to make contributions or match employee contributions to the plan. It requires participating employees to have at least 1,000 hours of service for the preceding plan year and allows such employees to elect any benefit available under the plan. It permits participation by self-employed individuals; and includes long-term care insurance as a qualified benefit.

**Status:** S. 988 introduced 5/6/2009, referred to Finance Committee.

**AVMA Position:** Support

**Primary Contact:** Ms. Gina Luke

**S. 803/H.R. 1897, Healthy Workforce Act** would amend the Internal Revenue Code to provide employers with a 50% tax credit for the costs of providing employees with a qualified wellness program.


**AVMA Position:** Support

**Primary Contact:** Ms. Gina Luke

**S. 979/H.R. 2360, Small Business Health Options Program (SHOP) Act** would allow small businesses and the self employed to band together in a statewide or nationwide pool to obtain competitive insurance prices. Small business owners would be eligible for an annual tax credit of up to $1,000/employee ($2,000/family coverage) if they pay for 60% of their employees’ premiums, and a bonus tax credit if they pay for more than 60% of the premiums. Self-employed individuals would get a $1,800 annual tax credit ($3,600/family coverage) to purchase health insurance. The bill cuts down administrative costs for small businesses which spend almost 25% of health insurance premiums on administrative costs, compared to 10% for large employers, and bans rating insurance based on health status and claims experience.


**AVMA Position:** Support

**Primary Contact:** Ms. Gina Luke

**S. 3578/H.R. 5141, Small Business Paperwork Mandate Elimination Act** would repeal the paperwork burdens imposed on business by Section 9006 of the “Patient Protection and Affordable Care Act” (PPACA). Unless this PPACA section is repealed,
businesses will be subjected to data collection and information filing on virtually all business-to-business transactions they make aggregating $600 or more in a year.  


Sen. Mike Johanns (R-NE) sought to amend H.R. 5297 Small Business Jobs & Credit Act but the amendment failed to pass.  

Sen. Johanns and Rep. Lungren (R-CA-3), the bill’s sponsors vow to continue their efforts in the 112th Congress.  

**AVMA Position:** Support  
**Primary Contact:** Ms. Gina Luke

**H.R. 2460/S. 1152 the Healthy Families Act** would require employers with 15 or more employees to provide up to seven days of annual paid sick leave for full-time and part-time workers to take care of themselves, family members or anyone else whose close association with the employees is the equivalent of a family relationship. Leave would also be available for reasons related to domestic violence, sexual assault or stalking. Workers would earn one hour of leave for every 30 hours worked up to a maximum of 56 hours per year. Employers are prohibited from interfering with an employee's exercise of such rights. The legislation authorizes civil actions by employees, individuals, or their representatives for damages or equitable relief against employers who violate this Act.  

**Status:** H.R. 2460 was introduced 5/18/09, referred to the Committee on Education and Labor, the Committee on Oversight and Government Reform, and the Committee on House Administration. S. 1152 introduced 5/21/09, referred to Senate Health Labor Education and Pensions Committee.  

**AVMA Position:** Active Pursuit of Defeat  
**Primary Contact:** Ms. Gina Luke

**H.R. 2564, Paid Vacation Act:** This legislation would amend the Fair Labor Standards Act to require employers with at least 100 workers to provide a minimum of one week of paid vacation each year. The legislation would cover employees after they have worked for their employer for one year. Part-time workers must work 25 or more hours a week and 1,250 hours per year to be covered under its provisions. Within three years of passage, the legislation would cover companies with at least 50 employees, and require two weeks of vacation for companies with 100 employees. Full- and part-time (25 hours/week, 1,250 hours/year) workers will be eligible after one year of service. The legislation requires an employee to provide the employer not less than 30 days’ prior notice of his or her intent to take paid vacation, including the date the paid vacation will begin. The legislation requires the Secretary of Labor to conduct a public awareness campaign, through the Internet and other media, to inform the public of the entitlement to paid leave under the Act; and a study on workplace productivity and the effect of paid leave on such productivity. The Department of Labor and Department of Justice would enforce its provisions.  


**AVMA Position:** Non-Support  
**Primary Contact:** Ms. Gina Luke

**Veterinary Workforce Issues**

**S. 1709/H.R. 3519 Veterinarian Services Investment Act:** This legislation authorizes a new veterinary workforce grant program at USDA. Grants may be used to support, augment, develop and implement programs to address veterinary workforce needs of each state. Program grant funds may be in the following ways: 1) Recruit, place, and retain veterinarians, veterinary technicians, veterinary students, and veterinary technology students. 2) Assist veterinarians with establishing or expanding practices by equipping veterinary offices, sharing in the overhead costs of such practices, or establishing mobile veterinary facilities that will at least in part address education or extension needs. 3) Provide financial assistance for expenses other than tuition for veterinary students, veterinary interns and externs, fellows and residents, and veterinary technician students to attend training programs in food safety or food animal medicine. 4) Support programs, in coordination with accredited colleges of veterinary medicine, that establish or expand accredited education programs, veterinary residency and fellowship programs, and veterinary internship and externship programs. 5) Support programs for tele-veterinary medicine that contribute at least in part to veterinary extension, education, or research. 6) Support the ability of state veterinarians or animal health officials to coordinate veterinary services and food protection issues. 7) Assess veterinary shortage areas. 8) Support continuing education and extension programs, including distance-based education, for veterinarians, veterinary technicians, and other health professionals that will strengthen veterinary programs and enhance food safety. 9) Recruit and retain faculty at AVMA-accredited veterinary schools and colleges. 10) Support programs, in coordination with universities or local education agencies, to encourage students in secondary schools to pursue a career in veterinary medicine or other science professions. Eligible entities for a VSIA grant are colleges of veterinary medicine; university research and veterinary medical foundations; departments of veterinary science or comparative medicine; state agricultural experiment stations; veterinary clinics located in rural areas; State veterinary medical associations; national, allied, or regional veterinary organizations and specialty boards recognized by the AVMA, and state, local, or tribal government agencies.  

**Status:** VSIA enjoyed strong bipartisan support in both chambers. The House 9/15/10 approved their version (H.R. 3519) on the suspension calendar. It was sent to the Senate for consideration. AVMA worked with senate supporters to pass it on the unanimous consent calendar; however, efforts were thwarted when a senator demanded an offset be identified.  

AVMA
anticipates that Representatives Adrian Smith R-NE and Leonard Boswell D-IA as well as Senator Debbie Stabenow D-MI and John Thune R-SD will reintroduce their respective bills in the new Congress.

**AVMA Position:** Active Pursuit of Passage  
**Primary Contact:** Ms. Gina Luke

**HR 4497, Wildlife and Zoological Veterinary Medicine Enhancement Act** expands the workforce of veterinarians specialized care and conservation of wild animals, develops educational programs focused on wildlife and zoological vet medicine; creates new funded positions for wildlife and zoo clinical and research vets; limits the amount of educational debt for vet medicine students, provides incentives to study and practice wildlife and zoo medicine; helps schools of vet medicine develop pilot curriculums specializing in health management of wildlife in their natural habitat and in captivity; expands number of educational and training programs in wildlife and zoo medicine for vet students.

**Status:** H.R. 4497 introduced 1/21/2010, referred to the Committees on Agriculture, Natural Resources, Ways & Means.

**Veterinary School/Educational Issues**

**Veterinary Medical Loan Repayment Program (authorized by P.L. 108-161):** Seek appropriations for the program and work with USDA to ensure a smooth implementation of the awards.

**Status:** VMLRP is level-funded in the short-term spending bill (HR 3082) passed to keep most programs operating at FY 2010 levels through 3/4/2011.

**AVMA Position:** Active Pursuit of Passage  
**Primary Contact:** Ms. Gina Luke

**S. 3621, Veterinary Medicine Loan Repayment Program Enhancement Act** exempts VMLRP awards and similar state program awards from federal taxation. USDA pays 39% federal income tax for each award. The first 62 veterinarians were selected for awards at the end of FY2010. A total of $9.8 million has been appropriated by Congress as of September 2010. Each dollar spent on taxes is one less available for a VMLRP award.

**Status:** S. 3621 introduced 7/21/2010, referred to the Committees on Finance. The bill will be reintroduced in the 112th Congress.

**AVMA Position:** Active Pursuit of Passage  
**Primary Contact:** Ms. Gina Luke

**H.R. 2999 Veterinary Public Health Amendments Act** adds veterinary public health as an eligible grantee for public health workforce grants (authorized by Section 5206 of PL 111-148), and makes veterinarians studying public health eligible for Public Health Workforce Loan Repayment Program to assure an adequate supply of public health professionals to eliminate critical public health workforce shortages in federal, state, local, and tribal public health agencies (the loan repayment program was authorized by Section 5204 of PL 111-148). PL 111-148, Sec. 5204 Public Health Workforce Loan Repayment Program creates a new Public Health Service Act Sec. 776 requiring the Secretary, depending on appropriations, to establish a loan repayment program for public health or health professionals who agree to work in a federal, state, local, or tribal public health agency or a related training fellowship after graduation. Among other contractual obligations, recipients are required to serve for at least three years, or as determined by the Secretary. Annual repayment is capped at $35,000 per individual, or one-third of total debt, whichever is less. The section authorizes the appropriation of $195 million for FY2010, and such sums as necessary for each of FY2011 through FY2015. PL. 111-148, Sec. 5206 Public Health Workforce Grants for State and Local Programs amends Public Health Service Act Sec. 765 to add public health workforce loan repayment programs to the list of allowable activities for public health workforce development grants. It also creates a new Public Health Service Act Sec. 777 authorizing the Secretary to make grants to eligible educational entities to award scholarships for the training of mid-career professionals in public health and allied health. There are no stated scholarship amounts or service obligations. The section authorizes the appropriation of $60 million for FY2010, and such sums as necessary for each of FY2011 through FY2015.

**Status:** H.R. 2999 introduced 6/23/2009, referred to Energy & Commerce. On 9/16/2010, the House Health Subcommittee (Energy and Commerce) passed H.R. 2999 Veterinary Public Health Amendments Act. This was a substitute amendment for the Veterinary Public Health Workforce and Education Act, and would amend the Patient Protection and Affordable Care Act by adding veterinary public health as one of the groups eligible for grants to train the public health workforce, and would make veterinarians studying public health eligible for loan repayment. On 9/29/2010, the House passed the amended H.R. 2999.

**AVMA Position:** Active Pursuit of Passage  
**Primary Contact:** Dr. Mark Lutschaunig

**S. 3510, Roosevelt Scholars Act of 2009:** The Roosevelt Scholars Act will help the federal government attract mission-critical talent to help fill mission-critical jobs. The legislation will help the federal government compete for highly skilled workers from an increasingly limited talent pool in mission-critical fields including public health, science, engineering law, security and enforcement and accounting. Mission critical fields will be determined by federal agencies workforce planning.
systems. Students are graduating with increasingly high levels of debt. Roosevelt Scholars will receive assistance to help pay tuition and fees for up to five years ($12,000 annually; $60,000 aggregate). Recipients will be paid a small monthly stipend ($300) for each year they are enrolled in a degree granting program directly related to a mission-critical occupational area within the federal government. Roosevelt Scholars will be required to spend 3-5 years working in the federal civil service. The legislation would authorize $10 million for the program. It is anticipated that 50 students would be granted scholarships annually.


**AVMA Position:** Support

**Primary Contact:** Ms. Gina Luke

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**Boost Student Loan Interest Deduction (SLID).** Increasing the deductibility of student loan interest paid, which currently is set at a maximum of $2,500/year will assist young veterinarians in the early years of their practices. Additionally increasing the income limits is needed. Currently, taxpayers whose income does not exceed certain thresholds can take an annual tax deduction of up to $2,500 for interest paid on student loans. The amount of the deduction is phased out for joint filers with AGI between $120K and $150K and for single taxpayers with AGI between $60K and $75K. Without an extension, those limits would have been lowered to $60K to $75K for joint filers and $40K to $55K for single filers effective January 1, 2011.

**Status:** H. R. 4574, Student Loan Interest Full Deductibility Act was introduced by Rep. David Wu (D-OR-1) on 2/2/2010 and referred to Ways & Means. The legislation would amend IRC to repeal the current dollar limitations on the tax deduction of interest on education loans. P.L. 111-312 (H.R. 4853) Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act, signed by President Obama on 12/17/2010, extends SLID (through 2012) however AGI limits were not increased.

**AVMA Position:** Support

**Primary Contact:** Ms. Gina Luke

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**Veterinary Profession Issues**

**H. Res. 1531/S. Res. 583, Congressional Resolution-Vet 2011:** In 2011, the veterinary profession will be celebrating the 250th anniversary of the world’s first veterinary school, and hence, the 250th anniversary of the veterinary profession. As part of this effort, AVMA is an Associate Member of the Vet 2011 Executive Council, and serves as the coordinator for the United States National Vet 2011 committee. The National Committee is responsible for organizing events that will celebrate 250 years of improving animal and human health. The Congressional resolution would acknowledge the significant contributions of the veterinary profession, and will recognize the importance of this momentous milestone of the veterinary profession.

**Status:** S. Res. 583 was introduced and referred to the Judiciary Committee on 7/15/10. The U.S. Senate passed the bill on unanimous consent calendar on 9/23/10. H. Res. 1531 was introduced on 7/15/10 and referred to Oversight and Government Reform. The House of Representatives passed the resolution under suspension of the rules on 12/8/10 (406-0).

**AVMA Position:** Active Pursuit of Passage

**Primary Contact:** Dr. Ashley S. Morgan

**Veterinary Corps Officer Accession from Lieutenant to Captain:** Currently, all active duty veterinarians entering the Army Veterinary Corps are commissioned into the corps at the rank of Captain. Army Reserve Veterinary Corps officers, however, are commissioned at the rank of First Lieutenant unless they get credit for years in veterinary medicine after graduation (approx. 5-7yrs; requirement may vary). Physicians commissioned as Army Medical Corps officers enter active duty or the reserves at a rank of Captain. First Lieutenants are expected to perform the same duties and responsibilities as Captains in the United States Army Reserve Veterinary Corps; however, they do not have the same authority to carry out these tasks. Additionally, military pay is related to rank, which is consistent with the AVMA GRD’s current federal equity in pay initiative.

**AVMA Position:** Active Pursuit of Passage

**Primary Contact:** Dr. Mark Lutschauwig

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**AVMA Legislative Scoring System**

**Active Pursuit of Passage:** The bill or regulatory action will be placed on the AVMA legislative agenda for the current session of Congress and that a high priority application of AVMA human resources will be expended to pass the bill or adopt the regulation.

**Active Pursuit of Defeat:** The bill or regulation will be placed on the AVMA legislative agenda for the current session of Congress and that a high priority application of AVMA human resources will be expended to stop the bill from becoming law or the regulation becoming adopted.

**Support:** The AVMA supports the bill or regulation; however, it is not a high priority and is not listed on the AVMA legislative agenda for the current session of Congress. A low priority application of AVMA human resources should be expended on the bill or regulation. However, if asked, the AVMA is on record for supporting the bill or regulation.
**Non-Support:** The AVMA does not support the bill or regulation as written, it is not a high priority, and it is not listed on the AVMA legislative agenda for the current session of Congress. A low priority application of AVMA human resources should be expended on the bill or regulation. However, if asked, the AVMA is on record of not supporting the bill or regulation. If applicable and appropriate, the AVMA may identify areas of the bill or regulation that would need to be changed for support of the bill or regulation to be a consideration.

**No Action:** The AVMA makes no recommendation on the bill or regulation and the AVMA does not have a position on the bill or regulation.

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**AVMA-GRD Contact Information**

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