FEDERAL REPORT

PEOPLE PROMOTES PUPPY PROTECTION

The February 10 issue of People Weekly magazine contained an article about the horrors of puppy mills and featured Rep. Benjamin Cardin of Maryland, author of H.R. 3718, the Puppy Protection Act, which offers recourse to consumers who have purchased sick dogs from pet stores or certain commercial breeders.

Representative Cardin relied on background information from The HSUS, including the results of investigations conducted over the last ten years by The HSUS, investigating Bob Baker. We will work with Representative Cardin to push for hearings in the House's Commerce Consumer and Bioethics section, chaired by Rep. Cardis Collins of Illinois, and seek a sponsor of the bill in the Senate.

ENVIRONMENT OR TRADE?

The HSUS continues to fight efforts—both in Congress and on an international-trade level—that threaten to undermine the U.S. Marine Mammal Protection Act (MMPA), the linchpin of dolphin protection. Although a three-man General Agreement on Tariffs and Trade (GATT) panel issued a decision last August stating that certain provisions of the MMPA are a barrier to world trade, further action by the 107-member GATT council was postponed at the request of both Mexico and the United States because the decision has potentially far-reaching adverse consequences for many U.S. environmental laws.

The HSUS is leading other animal-protection groups in joining with environmental and consumer groups to express concern about the draft—on Capitol Hill, to the United States Trade Represen­tative (USTR), and even to the Global Legislators Organiza­tion for a Balanced Environ­ment (GLOBE) General Assembly, an international group of legislators that includes members of the U.S. Congress, the European Parlia­ment, and the Japanese Diet. Although the Bush administra­tion has generally approved of the Dunkel draft, we are urg­ing the USTR, Carla Hills, to see that key changes are made in the draft and urging other of­ficials to reject any draft that would threaten the environment or marine mammals world­wide. HSUS Director of Federal Legislation Martha Cole Glenn attended recent meetings of the GLOBE Draft Final Act Text, urging them to express their con­cern to GATT.

On a related matter, on Jan­uary 9 the U.S. District Court for the Northern District of California ruled in favor of Earth Island Institute and the Marine Mammal Fund in their suit challenging the U.S. government's decision to forgo the global moratorium on the MMPA. HSUS, which was granted observer status in the suit, is awaiting a court ruling on a number of other appeals that might jeopardize the continued exis­tence of endangered and threatened species, and requires the development and imple­mentation of recovery plans to help restore listed species.

BEAUCRATIZING THE ESA

The federal funding authority for the Endangered Species Act (ESA), one of the nation's most powerful and ef­fective environmental, conservation, and wildlife laws, expires in June 1992.

Anticipating a congressional debate over reauthorization of the ESA this year, The HSUS has been participating in the Endangered Species Coalition, a broadly based coalition of en­vironmental, conservation, and animal-protection groups dedicated to the preservation and strengthening of the ESA.

On November 26, 1991, H.R. 4045, the Endangered Species Act Amendments of 1992, was introduced by Rep. Gerry Studds of Massachusetts. The HSUS strongly supports the Studds bill, which was devel­oped in close consultation with the Endangered Species Coalition. H.R. 4045, which has thirty cosponsors, both strength­ens the ESA and authorizes badly needed funds for the pro­tection of endangered species.

The ESA currently works as a number of ways to preserve wildlife and wildlife habitats. Among other things, the ESA forbids the killing or harming of animal species designated as "endangered" or "threatened" (so-called listed species), prevents federal agencies from taking actions that might jeopardize the continued exis­tence of endangered and threatened species, and requires the development and imple­mentation of recovery plans to help restore listed species. While the ESA has been crucial to the recovery of species such as the brown pelican, the black-footed ferret, and the gray wolf, by supporting H.R. 4045, The HSUS hopes to help make the ESA even more effective.

The ESA already requires the development of recovery plans for all endangered and threatened species. Despite this legal obligation, the govern­ment has failed to submit recovery plans for almost half of all listed species. H.R. 4045 would require the preparation and implementation of recovery plans for all currently listed species by the end of 1996 and would impose new deadlines for species listed in the future. Increased funding would be provided to ensure that these deadlines could be met.

In addition to supporting the provisions of H.R. 4045, The HSUS is seeking amendments that would increase the criminal and threat­ened penalties for harming mem­bers of endangered species (for example, by poachers and par­ticipants in illegal "canned hunts") and eliminate en­dangered wildlife's availability to circuses, menageries, private breeders, and others not in­volved in legitimate conserva­tion and educational activities.

DOWNERS PLIGHT DESCRIBED

March 5 The HSUS has de­scribed the slaughter of countless nonambulatory, or "downers," Downers are animals too sick, weak, or crippled to walk unassisted and are almost impossible to move without inflicting great pain on the animal. The HSUS discussed its investigative find­ings at livestock auctions and proposed remedies to alleviate the suffering of downers. The hearing, chaired by Rep. Charles Stenholm of Texas, follows a January 15 field hear­ing in Amarillo, Texas.

In the summer of 1991, Rep. Kika de la Garza of Texas, chairman of the House Agri­culture Committee, together with Rep. Stemholt, chairman of the Agriculture Subcommit­tee on Livestock, Dairy, and Poultry, requested a General Accounting Office (GAO) re­port on the role of the U.S. Depart­ment of Agriculture (USDA) in monitoring and regulat­ing the livestock and meat packing industries. While the GAO investigation was be­ing conducted, Chairman Stemholt became interested in the downer issue, reports of abuses began to emanate from stockyards, and public concern about the handling of downers began to grow.

Since early May 1991, many livestock-industry leaders have recognized the need to change the way that animals, par­ticularly downers, are handled at auctions. While industry leaders do not agree on a remedy, some have worked on policy statements addressing the problem, and many agree that the current handling prac­tices need to be changed. Through our Farm Animals and Bioethics section, The HSUS is making every effort to facil­itate work with the industry to attain a satisfactory resolution of this problem.

A calf too weak to stand awaits death at an auction yard; The HSUS described its auction investigations at a March 5 hearing and pro­posed remedies to relieve the suffering of such distressed animals.
HSUS SEeks 1993 Appropriations

The HSUS is gearing up for the Fiscal Year 1993 appropriations cycle and will target a number of federal agencies with specific programs affecting animals. We will testify on a number of ongoing, animal-related federal programs. We will continue our vigil for substantial increases in funding for enforcement of the Animal Welfare Act (AWA), including additional funding that will enable the USDA to conduct more frequent and rigorous inspections of laboratory and commercial dog-breeding facilities covered by the AWA. We will also strongly support the development and implementation of nonlethal animal-control methods under the USDA's Animal Damage Control program.

The success of our lobbying efforts for '92 will give us increased incentive to once again win funding for several programs. Last year, the HSUS successfully lobbied Congress for first-time funding for the National Organic Standards Board, the key to a national organic-labeling program. We will be seeking additional funding for the USDA's efforts to instrumentalize the development of the new model standards for our nation's wild horses, which includes a humane method of contraception. In addition, we will remind Congress of the necessity for and value of this management plan. Together with the Massachusetts Society for the Prevention of Cruelty to Animals and the American Humane Association, The HSUS will seek additional funding for the National Toxicology Program, an interagency program within the National Institutes of Health (NIH) that establishes new toxicology validation of nonanimal alternatives to research. We will also seek funding for the Biological Models Materials Resources program, which is administered by NIH and offers monetary grants to scientists for research that uses alternatives to animals. Such efforts on alternatives will be enhanced by specific provisions of H.R. 2407, the NIH reauthorization bill, introduced by Rep. Henry Waxman of California. H.R. 2407 contains language promoting the use of animal alternatives in research through NIH, if passed in the House in July 1991. Efforts are being made to reconcile it with a similar bill in the Senate.

ANIMAL-FACILITY BREAK-IN BILLS

Late last year, at the request of the chairman of the House of Representatives Agriculture Committee, Kika de la Garza of Texas, H.R. 2407, the Farm Animal and Research Facility Protection Act, was introduced to the full committee from the House Agriculture Department Operations Subcommittee. H.R. 2407 has almost 250 co-sponsors, and a similar bill, S. 544, sponsored by Sen. Howell Heflin of Alabama, has already been passed by the Senate. The HSUS has opposed these bills and continues its efforts against them because specific provisions would impede legitimate investigations and prevent the exposure of animal cruelty and misuse outlined in the AWA. We will continue to press Congress for assurance of protection for legitimate whistle-blowers who witness animal cruelty.

THANK YOU!

The HSUS extends its thanks to the following members of Congress who have recently taken the lead in promoting legislation on behalf of animals.

Rep. Gerry Sikorski of Massachusetts, chairman of the House Committee on Agriculture, Marine, and Fisheries Operations Subcommittee on Fisheries, Wildlife Conservation, and the Environment, for his leadership in introducing H.R. 4045, the Endangered Species Act Amendment of 1992, which funds and strengthens our nation's protections for endangered and threatened plants and animals.

Sen. Albert Gore of Tennessee, president of the GLOBE International, and Rep. Gerry Sikorski of Minnesota, president of GLOBE U.S., for their continued leadership on environmental issues in both the Congress and the international arena.

Rep. Jolene Unsold of Washington, for her continued leadership, in both the Congress and international organizations, on the effort to ban large-scale driftnet fishing worldwide.

RUNNING AFOWL

Last May two major cockfighting busts in Ohio, the result of a months-long undercover investigation by the Ohio Department of Agriculture, netted nearly 500 arrests and the confiscation of 700 game fowl. The HSUS played a major role in this effort (see the Fall 1991 HSUS News).

Although the raids were a huge success, things went downhill once local officials got involved. Charges against some individuals were dropped in one jurisdiction because the sheriff had failed to notify the paperwork. The judge hearing a case against other individuals was unconvinced the confiscated game cocks were intended for use in fighting and ordered the birds returned to their owners.

In another jurisdiction, officials were forced to return some game fowl to owners and auction off others. A lower court had ordered the birds, which were intended for fighting, to be euthanized. However, the Ohio Gamebirds Breeders Association appealed the court's decision, and the birds were returned to their owners.

A FELONY COCKFIGHTING BUST

A felony cockfighting bill has been introduced by State Rep. Dean Conley, which, if passed, would make sure such outcomes would not recur.

A CRUSHING BLOW TO KISER LAKE

Information obtained by the Great Lakes office recently led to a recommendation for denial of a drug license for a USDA-licensed dog dealer and, subsequently, to that dealer's surprising withdrawal of his application. The Ohio Board of Pharmacy learned that Kiser Lake Kennels was operating without the necessary license for obtaining, storing, and using dangerous drugs after a complaint was lodged by program coordinator Robin Weirauch.

Ms. Weirauch's complaint alleged unlicensed possession of sodium pentobarbital by an Ohio dog vendor, who reportedly received it from Kiser Lake Kennels.

Kiser Lake Kennels has applied to the Ohio Board of Pharmacy for the long overdue license but the board recommended that the application be denied.

Kiser Lake Kennels has for many years provided euthanasia services to county animal facilities, retaining some live dogs for resale to research facilities, in contradiction of the law. Now that it is clear the kennel lacks the proper license to utilize euthanasia drugs, the practice may stop.

SOCIETIES SEEK HSUS HELP

Program coordinator Robin Weirauch traveled to Jefferson and Hancock Counties in West Virginia, Floyd, Posey, and Gibson Counties and the city of Terre Haute in Indiana; Perry and Clermont Counties in Ohio; and Ann Arbor, Michigan, to observe shelter operations and review adoption policies.

AN OMINOUS RULING

In December, Ohio Attorney General Lee Fisher issued an opinion to the Ohio Veterinary Medical Board which concluded that humane societies are not authorized under state law to own and operate spay/neuter clinics and employ veterinarians.

The goal of county humane societies in Ohio is the inculcation of humane principles and enforcement of laws for the prevention of cruelty. According to Sandy Rowland, Great Lakes regional director, "Quite disturbing is the fact the attorney general's office does not see the link between reducing our present pet-overpopulation problem and reducing cruelty to animals."

Ms. Rowland has sent copies of Mr. Fisher's opinion to all Ohio humane organizations.