

# HUMANE ACTIVIST

JULY / AUGUST 2017

## IN THIS ISSUE

Horse soring fight continues  
Executive action on hold as  
bipartisan group backs bill

Just the **FACTS**  
Lawmakers call for transparency  
in animal testing

## PROPER APPROPRIATIONS

ANIMALS WIN BIG IN BUDGET BILL



**HUMANE SOCIETY**  
LEGISLATIVE FUND™

[hslf.org](http://hslf.org)



**HUMANE SOCIETY**  
LEGISLATIVE FUND™

The Humane Society Legislative Fund is a social welfare organization incorporated under section 501(c)(4) of the Internal Revenue Code and formed in 2004 as a separate lobbying affiliate of The Humane Society of the United States. HSLF works to pass animal protection laws at the state and federal levels, to educate the public about animal protection issues, and to support humane candidates for office. On the web at [hslf.org](http://hslf.org).

Contributions or gifts to HSLF are not tax deductible. Your donation may be used for lobbying to pass laws to protect animals, as well as for political purposes, such as supporting or opposing candidates.

STAFF: President, Michael Markarian; Executive Vice President, Wayne Pacelle; Executive Director, Sara Amundson; Senior Political Director, Joe Maxwell; Director of Online Communications, Kate Blocher.  
HSUS Publications: Operations Manager, Elizabeth McNulty; Managing Editor, Rachel Querry; Art Director: Shaina Lieberman; Contributing Editor, Beth JoJack; Design Consultant: Kalico Design.

Humane Activist (ISSN 1524-5233) is published five times a year by the Humane Society Legislative Fund. To subscribe to *Humane Activist* and to receive our annual *Humane Scorecard*, send a donation of \$10 or more to the Humane Society Legislative Fund at 1255 23rd St., NW, Suite 455, Washington, D.C. 20037, or contact us at 202-676-2314 or [humaneactivist@hslf.org](mailto:humaneactivist@hslf.org).

No permission is required for the reproduction of text from *Humane Activist*, provided that 1) it is not altered, 2) the context does not contradict its spirit and intent, and 3) credit is given as follows: Reprinted from *Humane Activist*/Humane Society Legislative Fund. For information on the reproduction of photographs or other graphics, email [humaneactivist@hslf.org](mailto:humaneactivist@hslf.org).

Printed on recycled paper, elemental chlorine-free, with soy-based ink.

©2017 Humane Society Legislative Fund. All rights reserved.

## PRESIDENT'S LETTER //



Dear Friends,

Enacted in 1966, the Animal Welfare Act (AWA) enshrined the idea that the federal government is responsible for ensuring basic standards of humane care and treatment for animals used in interstate commerce. Likewise, the Horse Protection Act of 1970 established the federal government's role in providing protection to Tennessee walking horses and related breeds from cruel "soring."

To enforce these laws, the U.S. Department of Agriculture (USDA) inspects thousands of puppy mills, research labs, circuses, horse shows and other regulated facilities, and takes action against violators. For years, the USDA posted the inspection reports online, providing public access to records that document compliance or violations.

States and municipalities passed prohibitions against pet stores selling dogs from breeders with serious or multiple violations noted on these reports. Local authorities have used the reports to enforce anti-cruelty laws.

Documentation of AWA violations by Ringling Bros. circus led to negative media coverage and rising public concern, then local ordinances banning wild animal acts and ultimately the company's decision to shutter the circus entirely.

Having easy access to USDA reports has also helped consumers. For example, a family buying a dog at a pet store on the East Coast probably can't readily travel to Kansas to see the breeder's facility—the inspection report tells them whether the breeder is at least meeting minimal standards.

Many inspected facilities boast about their clean records and want the public to know that they are in full compliance. Those with something to hide must have been cheering in February, when the AWA and HPA documents suddenly disappeared from the USDA's website. Advocates and the media, joined by many members of Congress, expressed outrage about what has become known as "the USDA data purge."

A bipartisan group of more than 100 representatives led by Reps. Martha McSally, R-Ariz., Lou Barletta, R-Pa., Lucille Roybal-Allard, D-Calif., Vern Buchanan, R-Fla., Earl Blumenauer, D-Ore., and Don Beyer, D-Va., sent a letter to President Trump urging that the USDA restore online searchable access to this vital data. Sen. Robert Menendez, D-N.J., spearheaded a similar letter to the USDA from 18 senators, and Rep. Ken Calvert, R-Calif., sent his own.

In March, Oregon Democrats Sen. Ron Wyden and Rep. Blumenauer introduced the Animal Welfare Accountability and Transparency Act (H.R. 1368/S. 503) to require the USDA to resume posting the documents.

In April, 184 representatives, led by Reps. Chris Smith, R-N.J., and Blumenauer, requested that legislation funding the USDA for Fiscal Year 2018 direct the agency to restore the reports. A similar Senate appropriations letter led by Sens. Wyden and John Kennedy, R-La., is underway. As of press time, more than a quarter of the Senate's members have signed on.

HSLF and our affiliated organizations won't relent until full access to these records is restored. Our tax dollars are funding these inspections, and we deserve to know what's happening behind the scenes in puppy mills, research facilities, roadside zoos, horse shows and other businesses that profit from animals.

Sincerely,

Michael Markarian

President

Humane Society Legislative Fund



# Animals win in spending bill

BRIGHT SPOT OF BIPARTISANSHIP

**IN MAY, CONGRESS PASSED** a spending bill full of good news for animals.

Reached though a bipartisan agreement, the massive Fiscal Year 2017 bill, which funds the government through September 30, sustains funding for critical animal protection programs and includes new provisions and declarations. This is particularly exciting considering the administration's FY 2018 proposal contained major cuts for the departments of Agriculture and Interior and the Environmental Protection Agency.

"Animal issues and wildlife protections were one of the bright spots of bipartisanship during the spending bill negotiations," Caroline Behringer, a spokeswoman for House Minority Leader Nancy Pelosi, said in a statement for *Humane Activist*.

HSLF worked successfully with humane lawmakers to keep out several provisions detrimental to animals, including a rider to remove Endangered Species Act protections for wolf populations. The negotiations preserved efforts to strengthen animal welfare standards for organic food and end horse soring. We also preserved a rule barring inhumane practices for hunting grizzly bears and wolves on National Preserves in Alaska.

"House Minority Leader Nancy Pelosi and Senate Minority Leader Chuck Schumer were intensely focused on keeping this bill free of anti-animal riders, and worked across the aisle with a number of Republicans who have repeatedly championed animal protection issues," says Wayne Pacelle, executive vice president of HSLF.

In April, a bipartisan group of 184 representatives wrote to leaders of the Agriculture Appropriations Subcommittee in support of strong funding for enforcement of key federal statutes. Clearly, the letter made an impression on budget negotiators.

Here are some of the pro-animal provisions in the FY 2017 omnibus spending bill:

**WILD HORSES AND BURROS** Prevents the Bureau of Land Management and its contractors from sending wild horses to be slaughtered for human consumption, and directs the agency to create a plan to maintain long-term sustainable populations on the range in a humane manner.

**HORSE SLAUGHTER** Prohibits wasteful government spending on horse slaughter inspec-

tions, effectively maintaining the ban on horse slaughter in the U.S.

**WILDLIFE TRAFFICKING** Provides an additional \$7.5 million for the U.S. Fish and Wildlife Service's Office of Law Enforcement and nearly \$2 million for the agency's International Affairs division to fight wildlife trafficking.

**AGRICULTURAL ANIMAL RESEARCH** Includes a \$400,000 increase for the USDA to strengthen its oversight of animal welfare at federal Agricultural Research Service facilities. The language also directs the USDA to post inspection reports of these facilities online.

**CLASS B RANDOM SOURCE DEALERS** Prohibits the USDA from licensing or relicensing Class B dealers who sell "random source" dogs and cats—those obtained from animal shelters, flea markets, "free to good home" posts or stolen pets—for use in research.

**ENVIRONMENTAL PROTECTION AGENCY** Maintains most of the FY 2016 budget levels, including for research and development of alternatives to animal tests under the reauthorized Toxic Substances Control Act.

**AS WE CELEBRATE** the good news, we should remember that, as Behringer from Rep. Pelosi's office notes, "our work here is not done." Efforts to put together the FY 2018 budget are already underway.

"It is critical to continue the drumbeat on the harmful impacts of the same dangerous provisions that could hurt animals and have repeatedly popped up in previous funding bills," she wrote. "We have a responsibility to ensure the survival, safety and protection of all animals, wildlife and their environment."



COVER: MICHELLE RILEY/THE HSUS; OPPOSITE PAGE: MEREDITH LEE/THE HSUS; THIS PAGE: FROM TOP: WEBGUISSE/ISTOCKPHOTO.COM; KATHY MILANI/THE HSUS

## LEGISLATIVE LINEUP //

**THE FOLLOWING** is a sample of HSLF-supported animal protection bills before the U.S. Congress. It's vital that you call, email or write your federal legislators to let them know your views on these bills. To find out who your legislators are and how to reach them directly, go to [hslf.org/leglookup](http://hslf.org/leglookup) or call 202-676-2314.

When you call a legislator's office, ask to speak with the staff person handling animal protection issues. Give the bill number and the name of the bill or issue. Be polite, brief and to the point. If you plan to visit

Washington, D.C., make an appointment to meet with your legislators or their staff to discuss animal issues. We can help you with background information and may be able to accompany you on your visits.

**Please note:** Due to security procedures on Capitol Hill, regular mail to members of Congress may be significantly delayed. Telephone calls and emails are the best ways to contact your legislators about pending bills.

**For the latest** information about all animal protection bills, visit [legislation.hslf.org](http://legislation.hslf.org).

## Equines



### **Safeguard American Food Exports (SAFE) Act**

H.R. 113

To ban domestic horse slaughter, stop the export of horses for slaughter abroad, and prevent human health threats posed by the consumption of equines raised in the U.S. Sponsors: Reps. Buchanan, R-Fla.; Schakowsky, D-Ill.; Royce, R-Calif.; Lujan Grisham, D-N.M.

### **Prevent All Soring Tactics (PAST) Act**

H.R. 1847

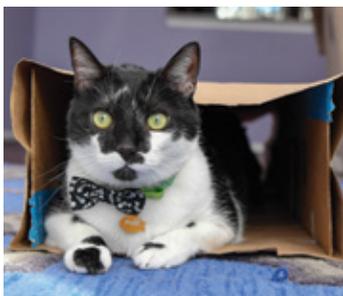
To amend the Horse Protection Act to end the failed system of industry self-policing and use of devices integral to soring, strengthen penalties, and make illegal the actual soring of a horse for the purpose of showing or selling the animal. Sponsors: Reps. Yoho, R-Fla.; Schrader, D-Ore.; Marino, R-Pa.; Cohen, D-Tenn.; Collins, R-N.Y.; Schakowsky, D-Ill.

### **Horseracing Integrity Act**

H.R. 2651

To end doping of all race horses, including same-day drugging, by putting the U.S. Anti-Doping Agency (the nonprofit that runs anti-doping programs for the U.S. Olympics and other games) in charge of setting national uniform rules on medication use in horse racing. Sponsors: Reps. Barr, R-Ky.; Tonko, D-N.Y.

## Pets and Cruelty



### **Preventing Animal Cruelty and Torture (PACT) Act**

H.R. 1494 / S. 654

To prohibit extreme acts of animal cruelty when they occur on federal property or in interstate or foreign commerce. Sponsors: Reps. Smith, R-Texas; Deutch, D-Fla. / Sens. Toomey, R-Pa.; Blumenthal, D-Conn.

### **Help Extract Animals from Red Tape (HEART) Act**

H.R. 398

To require that owners of animals seized in federal animal fighting cases cover the cost of caring for them and to expedite their adoption. Sponsors: Reps. Katko, R-N.Y.; Chu, D-Calif.

### **Pet and Women Safety (PAWS) Act**

H.R. 909 / S. 322

To expand federal domestic violence protections to include safeguards for the pets of abuse victims. Sponsors: Reps. Clark, D-Mass.; Ros-Lehtinen, R-Fla.; Nolan, D-Minn.; Denham, R-Calif.; Cohen, D-Tenn.; Walters, R-Calif. / Sens. Peters, D-Mich.; Heller, R-Nev.



### **Yulin Dog Meat Festival Resolution**

H. Res. 30

To condemn the "Dog Meat Festival" in Yulin, China, and to urge China to end its dog meat trade. Sponsor: Rep. Hastings, D-Fla.

### **Dog and Cat Meat Prohibition Act**

H.R. 1406

To prohibit the slaughter and trade of dogs and cats for human consumption and provide penalties for individuals involved in the dog or cat meat trade in the U.S. Sponsors: Reps. Hastings, D-Fla.; Buchanan, R-Fla.; Trott, R-Mich.; Boyle, D-Pa.

## Animal Research



**Humane Cosmetics Act**  
H.R. 2790

To prohibit animal testing for cosmetic products manufactured or sold in the United States. Sponsors: Reps. McSally, R-Ariz.; Beyer, D-Va.; Royce, R-Calif.; Cardenas, D-Calif.; LoBiondo, R-N.J.; Tonko, D-N.Y.

**Battlefield Excellence through Superior Training (BEST) Practices Act**  
H.R. 1243 / S. 498

To expedite the Defense Department's replacement of live animals with advanced technologies including manikins for training personnel in medical trauma treatment. Sponsors: Rep. Johnson, D-Ga. / Sen. Wyden, D-Ore.

## Wildlife



**Big Cat Public Safety Act**  
H.R. 1818

To prohibit possession and breeding of lions, tigers, lions, leopards and other big cat species by individuals and unqualified exhibitors. Sponsors: Reps. Denham, R-Calif.; Jones, R-N.C.; Tsongas, D-Mass.

**Chemical Poisons Reduction Act**  
H.R. 1817

To prohibit the use of two particularly dangerous and indiscriminate poisons—Compound 1080 and sodium cyanide—in predator control programs. Sponsor: Rep. DeFazio, D-Ore.

**Refuge from Cruel Trapping Act**  
H.R. 1438

To ban the use of body-gripping traps in the National Wildlife Refuge System. Sponsor: Rep. Lowey, D-N.Y.



**Orca Responsibility and Care Advancement (ORCA) Act**  
H.R. 1584

To prohibit breeding, wild capture, import and export of orcas for the purposes of public display, and phase out captivity of orcas with the current generation of animals in aquariums. Sponsor: Rep. Schiff, D-Calif.

**Shark Fin Sales Elimination Act**  
H.R. 1456 / S. 793

To prohibit and establish penalties for possession, sales or purchases of shark fins or any product containing shark fins. The Senate Commerce, Science and Transportation Committee approved this bill in May. Sponsors: Rep. Royce, R-Calif. / Sens. Booker, D-N.J.; Capito, R-W.Va.

## Farm Animals



**Opportunities for Fairness in Farming (OFF) Act**  
H.R. 1753 / S. 741

To reform agriculture checkoff programs funneling tens of millions of dollars to farm commodity groups that use the money to lobby against animal welfare, engage in anti-competitive protection for large producers and block other reforms. Sponsors: Reps. Brat, R-Va.; Titus, D-Nev. / Sens. Lee, R-Utah; Booker, D-N.J.

## USDA Records



**Animal Welfare Accountability and Transparency Act**  
H.R. 1368 / S. 503

To require the USDA to restore online searchable access, including inspection reports and other vital records relating to enforcement of the Animal Welfare Act and the Horse Protection Act, and to establish an additional deterrent against animal abuse. Sponsors: Rep. Blumenauer, D-Ore. / Sen. Wyden, D-Ore.



## Cruelty and waste

CALIFORNIA CONGRESSMAN PUSHES FOR ALTERNATIVES TO ANIMAL TESTING

**REP. KEN CALVERT, R-CALIF.**, once described his dachshund Cali as a “good conservative dog” because she hides treats under the couch cushions.

“You never know when tough times are going to come around,” Calvert told National Public Radio. “She’s a saver.”

Calvert always considered his animals part of the family. “When I got to Congress, I realized there may be an opportunity to effect some change that would benefit the welfare of many animals,” he wrote in an email.

A key issue for the congressman: reducing the number of animals subjected to chemical tests.

In December, Calvert and Rep. Dina Titus, D-Nev., wrote to the U.S. Government Accountability Office (GAO) asking for a review of animal testing by federal agencies and

complaining that there’s often little or no information made available to Congress or the public about these experiments. A few days later, Sens. Jeanne Shaheen, D-N.H., Cory Booker, D-N.J., and Elizabeth Warren, D-Mass., followed with a similar letter.

The GAO agreed to the bipartisan request, but Calvert’s efforts didn’t end there. In February, he introduced the Federal Accountability in Chemical Testing (FACT) Act (H.R. 816), which would amend the Interagency Coordinating Committee on the Validation of Alternative Methods (ICCVAM) Authorization Act of 2000, which he also authored. The 2000 law required federal agencies to replace animal tests with faster, less costly and more effective high-tech alternatives like cell-based tests wherever possible; the FACT Act mandates better reporting on those efforts.

While the GAO review will focus on 2016 animal testing data, the FACT Act will require federal agencies to submit a report to Congress every two years. “Essentially the GAO audit will be retroactive,” Calvert wrote, “and the FACT Act will ensure this information continues to be available moving forward.”

The FACT Act “would be the only way we’d have even a tiny window into how many animals are being used, what species and for what purpose related to toxicity testing,” says Kate Willett, director of regulatory testing at The HSUS.

The legislation is just the latest action Calvert has taken to help animals since he arrived in Congress in 1993, says Sara Amundson, executive director of HSLF.

“In 2000 when the ICCVAM was signed into law, we lauded Rep. Calvert for his leadership to facilitate alternatives to traditional animal testing by the federal government,” she says. “Now we applaud him for leading efforts to create metrics to analyze progress by the federal government and regulated industries. We look forward to working to make this a reality.”

If Congress passes the FACT Act and subsequent reports show that federal agencies aren’t taking advantage of the most up-to-date alternatives to animal tests, Calvert will continue to press the issue, with support from HSLF.

“One of Congress’s most important roles is its oversight function,” he wrote. “Congress has called on agencies to move to replace unnecessary animal testing, and if it is determined this is not occurring, my colleagues and I would look to ensure that these agencies move toward better science at a lower cost.”



Rep. Calvert and his dog Cali



## Post-election setbacks

WITH ANTI-SORING RULE STALLED, HORSE ADVOCATES PRESS FOR FEDERAL LAW

**MARTY IRBY'S** fight to end equine cruelty turned his life upside down.

At age 31, Irby was the youngest-ever president of the Tennessee Walking Horse Breeders' and Exhibitors' Association. But he was also growing increasingly concerned about soring, the intentional infliction of pain on the hooves and legs of Tennessee walking horses and similar breeds to induce an unnatural and painful high-stepping gait known as the "Big Lick." After trying and failing to create change within the industry, Irby, now a senior adviser for HSLF, made the difficult decision in 2013 to publicly support and testify before Congress about the need for the Prevent All Soring Tactics (PAST) Act.

He was suddenly exiled by the Tennessee walking horse crowd. His public stance led to divorce and the destruction of his relationship with his father. He even received death threats.

After sacrificing so much for what he knew was morally right, Irby was ready to

celebrate in January when the U.S. Department of Agriculture (USDA) announced it was about to finalize a decades-in-the-making rule to upgrade the Horse Protection Act regulations. The new rule would end the walking horse industry's self-regulation and ban the use of devices integral to the soring process.

To become official, the rule first had to be published in the *Federal Register*, the daily journal of the U.S. government. Irby noticed when the *Federal Register* didn't publish the rule as expected days before Donald Trump's inauguration on Jan. 20. Several members of Congress were also concerned about the oversight and made calls to the director of the *Federal Register*. The rule's language was then given the required one-day-early advanced posting on Thursday, but since the *Federal Register* didn't print on Inauguration Day, it was not scheduled to be published until the following week.

On Friday, as Irby feared, the Trump administration issued a memo freezing all pending rules. "It was one of the greatest disappointments of my life," Irby says.

There was more bad news to come. On Feb. 3, the USDA, without warning, removed from its website notices of violations of the Horse Protection Act, along with inspection reports and other records under the Animal Welfare Act. Humane equestrians often turned to the USDA's public database to make sure they weren't hiring a trainer who practiced soring, or buying from or selling a horse to someone involved in this cruelty, says Irby.

The USDA's data purge, along with the bureaucratic bungling that caused the soring rule to be stalled, generated a public outcry. "It was definitely the largest storm I'd seen on social media about this particular issue ever," Irby says. "It really fired people up."

Reps. Ted Yoho, R-Fla., and Kurt Schrader, D-Ore., two veterinarians who have long spoken out against soring, led more than 150 members of Congress to sign a Feb. 9 letter to President Trump asking him to finalize the soring rule. More than 200 federal lawmakers have called for the USDA to restore the online inspection records and violation notices.

In late March, Yoho reintroduced the PAST Act with more than 200 bipartisan members of Congress as cosponsors. Now it's time for Congress to pass the legislation. In a March editorial in *USA Today*, Irby urged Congress and the Trump administration to make the Tennessee walking horse breed "great again by supporting the regulations in the PAST Act, and finally bringing an end to the abuse."



Marty Irby



**HUMANE SOCIETY**  
LEGISLATIVE FUND

1255 23rd Street, NW  
Suite 455  
Washington, DC 20037

## THE EYES HAVE IT //



Eric and Lara Trump discuss puppy mills with Dr. Oz.

➡ During an appearance on *The Dr. Oz Show* in April, **ERIC AND LARA TRUMP** railed against puppy mills. “Puppy mills are actually a pretty big problem in this country,” said Lara, who described them as “breeding sweatshops for dogs.” In February, the U.S. Department of Agriculture deleted from its website inspection reports on 9,000 licensed facilities that use animals, including commercial dog breeding operations. Animal advocates hope that the couple will use their influence with Eric’s father, President Trump, to restore these vital records to the agency’s website.

➡ **TAIWAN’S LEGISLATURE** recently amended its animal protection law to increase penalties for cruelty and to ban the consumption of cat and dog meat. Animal advocates are also encouraged by reports that the government in Yulin, China, is banning all sales of dog meat at the city’s notorious dog meat festival. Humane Society International estimates that about 30 million dogs a year are killed for their meat, almost all of them in Asia. Taiwan’s new law sends a message to China, India, Vietnam, Indonesia, South Korea and other Asian countries that ending the brutal dog and cat meat trade is in the public’s interest.

➡ **THE ARCHITECT OF THE CAPITOL** (AOC) office recently constructed two ramps to help mallard ducklings get in and out of the Capitol Reflecting Pool. Employees at the AOC, the office tasked with looking after the historic buildings and grounds of Capitol Hill, installed the ramps after noticing that ducklings sometimes became separated from their mothers or became trapped

due to the sloped limestone sides of the pool. The AOC consulted with City Wildlife, a non-profit in Washington, D.C., on the project. In a *New York Times* article, City Wildlife President Anne Lewis described the ramps as literal lifesavers. “Ducklings get into the water—often helped there by visitors—and then can’t get out,” she explained. “They will drown from exhaustion or die of starvation unless they have a way to get out of the water.”

➡ **THE LOS ANGELES CITY COUNCIL** unanimously voted in April to draft an ordinance to ban displays of wild or exotic animals for entertainment, including in circuses. San Francisco passed a similar ban in recent years as did several counties in Idaho, Massachusetts, New Jersey and North Carolina. But Los Angeles—the nation’s second most populous city—would be the largest jurisdiction by far to enact such a ban. It’s not the first time the City of Angels has stood up for captive wildlife. In 2014, the city outlawed the use of bullhooks to handle captive elephants, a move that was instrumental in causing Ringling Bros. to cease using elephants in its shows.

