

HUMANE ACTIVIST

MARCH / APRIL 2015

IN THIS ISSUE

Balancing Act

Addressing wolf conflicts while maintaining federal protections

Gentle Giants

A national treasure struggles for survival

TERROR BEHIND TRAFFICKING

WILDLIFE TRAFFICKING THREATENS ICONIC
SPECIES AND OUR NATIONAL SECURITY



HUMANE SOCIETY
LEGISLATIVE FUND

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.

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 Federal Policy Advisor, Connie Harriman-Whitfield; Philanthropy Director, Steve Ann Chambers; Online Communications Director, Katie Carrus; Administrative Assistant, Megan Holland. HSUS Publications: Operations Manager, Elizabeth McNulty; Managing Editor, Catherine Vincenti; 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 2100 L St., NW, Suite 310, Washington, D.C. 20037, or contact us at 202-676-2314 or 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.

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

©2015 Humane Society Legislative Fund. All rights reserved.



www.NewWindEnergy.com

PRESIDENT'S LETTER //



Dear Friends,

The Humane Society Legislative Fund and The Humane Society of the United States remain at the forefront of legislative reforms concerning animal welfare. But it's not enough to just pass laws—we must work diligently to ensure they are enforced and that there are consequences for those who don't follow the rules. For animals in research, enforcement is unfortunately lacking and some laboratories are getting a free pass from even meeting the most basic standards of care.

An audit released in December by the U.S. Department of Agriculture's Office of Inspector General concluded the agency's enforcement actions under the Animal Welfare Act are weak and do not serve as a deterrent to future violations. The report also pointed to failures on the part of research facilities, concluding that "animals are not always receiving basic humane care and treatment" and that pain and distress are not always minimized when animals are used in experiments.

Weak enforcement of the AWA has been a significant and ongoing problem and, according to the audit, the situation has worsened in recent years. HSLF and The HSUS successfully worked with Congress in 2008, as part of the Farm Bill, to upgrade penalties for violations of the AWA—quadrupling the potential fine from \$2,500 to \$10,000 per violation (the relevant penalties hadn't changed in more than 20 years). But, we've been disappointed in the USDA's failure to actually enforce these new maximum penalties.

The audit revealed that the USDA reduced penalties by 86 percent from the authorized maximum, even in cases that involved animal deaths and other egregious violations. For example: Not long ago, The HSUS submitted evidence to the OIG of a case in which the USDA assessed a penalty of only \$10,000 when 30 monkeys died after being trapped in a hot room where temperature regulation systems failed and employees ignored alarms signaling the failure. This insignificant fine was not a deterrent, as the same company, less than a year later, sent a monkey through a cage washing machine. The animal was scalded to death. The fine for this repeat negligence was only \$4,500.

The USDA can revoke the licenses of puppy mills and roadside zoos, but with research facilities, fines are the only tool available to ensure compliance. If a fine is too low, the violation is seen simply as a business expense or minor nuisance. That's why it's so critical that the USDA impose meaningful fines against research facilities for serious animal welfare violations.

We are all diligently working to move away from harmful animal use and toward the use of more effective non-animal alternatives to solve human health problems. Until that day, however, the public expects that while animals are used for research and testing, basic animal care standards should be followed. These OIG findings should be a wake-up call for policymakers, and they should demand that there be consequences for facilities that fail to follow the law.

Sincerely,

Michael Markarian
President

Humane Society Legislative Fund



REACHING COMMON GROUND

BUILDING MOMENTUM AGAINST WILDLIFE TRAFFICKING

WHEN BRITAIN'S PRINCE WILLIAM and his wife, Kate, joined America's royal couple, Jay Z and Beyonce, for a Brooklyn Nets game in December, it sent the Internet buzzing. However, the Duke of Cambridge had a considerably more critical agenda for his U.S. visit.

Prince William met with President Obama on Dec. 8, reportedly to discuss wildlife trafficking, before attending the meeting of the International Corruption Hunters Alliance at the World Bank where he gave a speech highlighting the need to establish a "zero tolerance" policy throughout the transportation industry for the transport of illegal wildlife parts across borders.

"Cooperation is our greatest weapon against the poachers and traffickers who rely on evading individual national initiatives," Prince William

said. "By taking a truly international approach, we can get one step ahead of them."

In an unrelated but wonderful development, the next day Congress unveiled its final omnibus spending bill for 2015, which dedicates \$55 million to combat wildlife trafficking, with at least \$10 million of that directed to programs to protect rhinos from being poached.

Though the 113th Congress will be remembered for growing polarization, the fight against wildlife trafficking largely received bipartisan support. A big reason why: poaching of elephants and trafficking of their ivory are used to fund criminal networks and Africa-based terrorist groups such as Boko Haram.

"The momentum is certainly building on this issue," says Michael Markarian, HSLF president.

"Even in a tough budget climate, lawmakers could find agreement on the importance of funding to combat the crisis of wildlife trafficking, which threatens to decimate iconic wildlife species while also threatening our own national security. These funds will put more boots on the ground to crack down on the slaughter of elephants and rhinos and to dry up the financing of global terrorist networks and their nefarious operations."

The United States saw other advancements for the survival of the world's elephants and rhinos in 2014. The U.S. Fish and Wildlife Service issued a February 2014 Director's Order that works toward a goal of stopping virtually all commercial trade in elephant ivory and rhino horn within the U.S. and across its borders. In addition, both New York and New Jersey banned the trade in elephant ivory and rhino horn last year, and perhaps a dozen states are considering similar legislation in 2015.

Looking forward, Markarian expects to see continued bipartisan support for legislation and agency regulations to close loopholes on the ivory trade and increase the ability of the U.S. government to crack down on wildlife trafficking around the world. But he acknowledges that fighting back on harmful legislation may be in the cards again, including resisting the effort by some lawmakers to block the U.S. Fish and Wildlife Service from any rulemaking on the ivory issue, as they tried to do on the FY15 omnibus.

"The U.S. is the second largest retail market for the sale of ivory (after China)," says Markarian. "We must do all we can to crack down on the demand for ivory trinkets here at home, especially as we are urging other countries to join the global fight to protect elephants."



MAKING WAVES

TOUGH TIMES FOR TREASURED MANATEES

EACH SUMMER, TOURISTS flock to Florida waterways to watch and photograph manatees. The state is chock full of souvenirs devoted to the dark gray, whiskered and pleasingly plump “sea cow”—manatee license plates, manatee plush toys and manatee T-shirts abound. There’s even a Manatee County.

Among other species, too, the animals appear popular. Biologists have observed alligators giving way to or swimming peacefully past manatees. Sharks have been known to leave them alone as well.

And yet, despite it all, manatees are still struggling to survive. In 2012, a property and boating interest group, resentful of speed limits in coastal bays and rivers, filed a legal petition seeking to have manatees removed from the list of species classified as endangered under the Endangered Species Act.

The petition pushed the U.S. Fish and Wildlife Service to propose slashing protections for the state’s manatees, who live in estuaries, bays and rivers along the Florida coast. The group claims that manatees are doing well and don’t

need the current level of protection. The facts don’t bear out that claim: After four decades of federal protection, only about 4,830 manatees swim Florida waters.

These gentle giants—manatees can grow up to 10 feet long and 1,000 pounds—have struggled to survive the damaging effects of human activities for centuries. Since 1972, the federal Endangered Species Act has required the Fish and Wildlife Service to help manatee populations recover. The agency has placed limits on coastal development, boat speeds and other human activity in areas that are considered critical habitat.

But fishing, boating and construction interests have continually challenged that protection, leaving manatees with limited access to natural springs or other places with warm water. And despite the speed limits, boat strikes remain a lethal threat to the slow-moving animals, killing 73 manatees in 2013, according to the Florida Fish and Wildlife Conservation Commission. It’s estimated that up to 80 percent of manatees bear scars from collisions.

Serious threats continue to emerge, as well. Record-breaking cold snaps and pollution-fed algae blooms (or red tides) contributed to the deaths of 1,600 Florida manatees over the past three years. These algae blooms don’t just poison manatees; they also destroy their food. More than 47,000 acres of sea grass beds were killed in the Indian River Lagoon area alone.

With threats to their survival increasing, this is no time for the federal government to cut back on protection, says Sharon Young, HSUS marine issues field director. Many agree with her: In the two months after the Fish and Wildlife Service announced its proposal, The HSUS delivered 42,199 written objections from supporters across the country.

It will be months before the Fish and Wildlife Service announces its decision. If it does side with boating interests, Young says, there will still be time for the American public—during the public comment period that will follow—to once again show its love for the manatee.



THIS PAGE: ALEX MUSTARD/AMNDEN PICTURES; OPPOSITE PAGE, FROM TOP: JAY VUCETICH AND RO PETERSON, JIM BRANDENBURG/AMNDEN PICTURES



THE WOLF WAR

MAINTAINING CRITICAL FEDERAL PROTECTIONS FOR WOLVES

JILL FRITZ DIDN'T FINISH her workout on Dec. 19. While climbing a stairmaster, Michigan's senior state director for The Humane Society of the United States glanced at a message on her phone: a federal judge had ordered the gray wolf back on the endangered species list in Minnesota, Wisconsin and Michigan.

"It was the best Christmas present you could have hoped for," says Fritz. "I stopped immediately. I kind of stepped off to the side and burst into tears of joy."

Right away, Fritz got a call from Melissa Tedrowe, her Wisconsin counterpart. "We just had this happy moment of crying and laughing and processing this joyous news that our wolves were finally safe," Fritz says.

Safe for a moment.

The December court decision that banned hunting and trapping wolves in the western Great Lakes region, along with another federal court ruling in September that restored Endangered Species Act protection for Wyoming

wolves, count as major victories. Still, Fritz acknowledges winning big battles does not always equate to winning the war.

NEW THREATS

Several members of Congress responded to the news that wolves were once again on the endangered species list by threatening legislation that would render the courts' wolf verdicts impotent, once again giving the go ahead to hunters and trappers in Michigan, Minnesota, Wisconsin and Wyoming.

"If legislation is enacted that strips wolves of federal protection, that will be terrible," says Fritz, pointing to the more than 1,500 Great Lakes wolves killed by trophy hunters and trappers following the U.S. Fish and Wildlife Service's December 2011 move to delist the gray wolf population in the western Great Lakes.

"It was a bloodbath right out of the gate," Fritz says. "It's terrible to think of wolves enduring that again: being shot, trapped in cruel

steel-jawed leghold traps and even hounded by dogs."

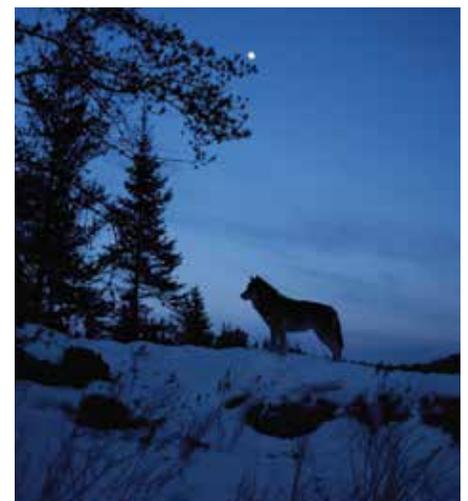
As Fritz knows too well, precedent for this type of legislative override has already been set. In April 2011, Congress took wolves from Montana, Idaho and portions of Washington, Oregon and Utah off the Endangered Species List—discreetly tucked away as a provision in a spending bill.

To keep that from happening again, The HSUS and 21 other organizations petitioned the U.S. Fish and Wildlife Service in late January to downlist wolves under the Endangered Species Act from endangered to threatened status across their range in the lower 48 states. This would allow for some flexibility to address specific wolf conflicts while maintaining critical federal protections for wolves.

By changing their status to threatened, oversight of wolf management stays out of the hands of state agencies—a key point for Wayne Pacelle, HSLF executive vice president, who explains that states "have consistently demonstrated an overreaching, reckless and even cruel hand in dealing with wolves."

"This proposal is a rational middle-ground approach that balances wolf protection with the practical realities of dealing with the occasional problem wolf," Pacelle wrote in a recent blog, "and it provides a reasonable pathway forward."

A pathway designed to prevent the type of widespread persecution of wolves that pushed the species to the brink of extinction in the first place.





A PROPENSITY TO CARE

THE FIRST OF A TWO-PART DISCUSSION WITH DR. DAVID WIEBERS, PROMINENT NEUROLOGIST, CHAIR OF THE BOARD OF HSLF AND FORMER CHAIR OF THE BOARD OF THE HSUS

What first inspired your work as an advocate for animals? Although I've always had a propensity to care about nonhuman beings, I received an important lesson from a companion animal mouse named Larry as I was going through my neurological training in Rochester, Minnesota. Upon getting to know him very well and interacting with him closely, it became clear to me that he had a very well developed personality and that his sentience and neurological function were of the same fabric as that of a human. It became clear that these aspects also applied to all other sentient beings.

What followed was a growing sense that, although curbing human suffering and death clearly continued to be compelling for me as a physician, the huge majority of suffering, mistreatment and wanton destruction of sentient beings on this planet was occurring in nonhumans and that this represented the widest gap in what would be an ideal world of harmony among earth's creatures and the world as it existed.

You joined the board of The Humane Society of the United States in 1990. How have you seen the organization change over the years? Since my first introduction to the

HSUS board by then-President John Hoyt 25 years ago, I felt an immediate and growing sense of belonging, of common purpose and of resolve to make things better in this world for nonhuman beings. The board and organization very rapidly became like an extended family and it has been that way ever since.



Dr. David Wiebers is emeritus professor of neurology at the Mayo Clinic in Rochester, Minnesota, where he served as a leading clinician, clinical researcher and teacher for three decades. He has authored 350 scientific publications, five medical textbooks and three books for the general public including "Theory of Reality: Evidence for Existence Beyond the Brain and Tools for Your Journey."

Over the years, the organization has grown considerably in size and influence and has become more active politically and internationally. Its role within the animal protection community has been to serve as a large tent for broad numbers of people with varying degrees of knowledge and commitment about animal protection issues. The organization endeavors to be inclusive rather than exclusive and has evolved over the years along with our society toward more progressive and active stances on a wide range of issues involving nonhuman beings. As more of humanity has become aware of the importance and significance of these issues for humans as well as nonhumans, the calls for action and the opportunities to have an impact in the field of animal protection have increased.

You served as chair of The HSUS from 1999 to 2008. What was your proudest accomplishment of that tenure? All of us who were on the board at the time were very fortunate to have been part of a very formative period in the organization's history, and the accomplishments of that period were a team effort on the part of the board and staff. Collectively, we experienced a period of incredible growth in the membership and assets of the organization while transitioning The HSUS to new executive leadership, overseeing numerous major corporate combinations and helping to create a new and highly effective 501(c)(4) entity, the Humane Society Legislative Fund. Accompanying these organizational changes were a wide range of substantial legislative successes and other positive developments for animals in society, nationally and globally, including the passage of Proposition 2, the landmark farm animal legislation in California.

All of these aspects enhanced the prospects of making this world a better place for nonhuman as well as human beings long into the future, and, in the final analysis, that would have to be our proudest accomplishment during that tenure.

What is your history with the Humane Society Legislative Fund? In 2004, it was clear that the animal protection movement needed a strong 501(c)(4) political entity to allow us to function on the same playing field as many of our adversaries in the political arena in the United States. Wayne Pacelle had just been elected as our new CEO and Wayne had a strong political background in our field, having served for 10 years as the HSUS's chief lobbyist and spokesperson. Although the idea of such an entity had been entertained in prior years, Wayne's coming on as CEO proved to be a great catalyst for completing the process.

The organization started out small but has been surprisingly effective throughout election cycles starting in 2006. It has benefitted enormously from corporate combinations with The Fund for Animals that brought with it individuals like Mike Markarian who serves as president and Marian Probst who serves on the HSLF board, and the Doris Day Animal League that brought with it individuals such as Sara Amundson who serves as executive director. These are all wonderful, talented and deeply committed individuals, as are the rest of our HSLF staff and board. I was the founding chair of the organization and continue to serve as chair.

Why do you feel that the work of HSLF is so important? As I alluded to earlier, HSLF and its associated HSLF PAC [political action committee] allow the proponents of animal protection to get onto the same playing field as many of our adversaries in the political arena. These organizations are not limited in their lobbying efforts and they may directly influence and participate in political elections, all of which is vitally important to changing society for the better as it relates to the wellbeing of animals.

Prior to having such an entity, many adversarial groups had a clear shot against animals in the political arena, and politicians assumed that they simply needed to follow the wishes of the boisterous minority in society who wanted to keep exploiting animals.

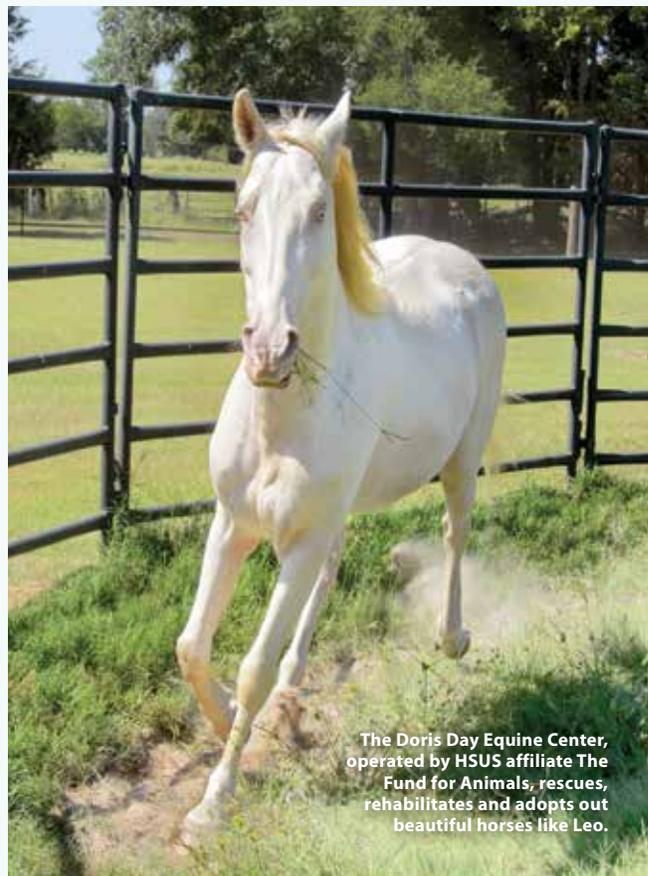
More and more politicians are coming to realize that it is not only the right thing to do, but it is also in their best political interest to support measures that protect nonhuman animals. They are paying more attention

to our issues than ever before and are following our HSLF Scorecards and Scoreboards that rate politicians according to their performance on issues and votes that affect animals. Twenty years ago or even 10 years ago, this was completely unheard of and we simply didn't have an effective vehicle to compete in this arena with many of our adversaries.

Is it important for animal protection organizations to have scientists on their boards? There are numerous animal protection issues that interface with science and with human and veterinary medicine including such very fundamental elements as sentience, cognition and the ability to feel pain and suffer. Other broader human and animal health issues overlap considerably as do issues related to the use of animals in research and various forms of educational activities. Often there are various scientific or data analysis aspects to issues wherein the perspective of a scientist has a good chance to be beneficial.

So, yes, I think that there have been some advantages to having scientists on these boards. At the same time, it has been very important to have a great diversity of inputs and mindsets coming from board members trained in numerous other fields as well. Ultimately, I believe that it is the combination of these diverse inputs with the underlying unifying motivation of compassion for all life that proves to be the best recipe for producing high level and inspired decision-making within such groups.

+ THE SECOND INSTALLMENT of the series will appear in the May/June issue of *Humane Activist*. The entire interview is available at hslf.org.



The Doris Day Equine Center, operated by HSUS affiliate The Fund for Animals, rescues, rehabilitates and adopts out beautiful horses like Leo.



HUMANE SOCIETY
LEGISLATIVE FUND

2100 L Street, NW
Suite 310
Washington, DC 20037
ADDRESS SERVICE REQUESTED

THE EYES HAVE IT //



➡ Outgoing **ILLINOIS GOV. PAT QUINN** vetoed House Bill 4226 as one of his final acts before relinquishing office in January. The legislation would have opened up a trophy hunting and commercial trapping season for bobcats in that state for the first time in 40 years. “We all have a responsibility to protect and maintain Illinois’ wildlife,” Quinn said in his veto message. “Allowing people to hunt bobcats in Illinois violates that responsibility.” This veto is one of a series of pro-animal actions that Quinn took during his six-year tenure.

➡ The **EUROPEAN COMMISSION** has suspended the import of horsemeat from Mexico. A recent EC Food and Veterinary Office audit found that the industry there could be selling horsemeat from animals treated with potentially harmful substances such as painkillers and other drugs. These are regularly given to U.S. horses, who make up 87 percent of the horses killed in Mexico’s EC-certified slaughterhouses. The audit echoes concerns from animal welfare groups regarding unacceptable mistreatment of horses from the point of sale to transport to slaughter.

➡ The **NORTH CAROLINA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES** issued a new policy in December stipulating that carbon monoxide gas chambers are not

appropriate for routine euthanasia in shelters. In February, North Carolina became the 25th state with a formal ban in place. The change in policy is the culmination of a years-long effort spearheaded by HSUS North Carolina state director Kim Alboum and volunteers to raise the level of professionalism and standards of care for animals in shelters across the state.

➡ The **FEDERAL GOVERNMENT** must make changes to critical habitat protections for the North Atlantic right whale—one of the world’s most endangered whales—by February 2016. The deadline was set as part of a settlement of a lawsuit filed in federal court last spring by a **COALITION OF ENVIRONMENTAL AND ANIMAL PROTECTION GROUPS** including The HSUS. In 2009, the coalition petitioned the National Marine Fisheries Service to significantly expand critical habitat protections. Although the Fisheries Service has repeatedly acknowledged that expansion is needed to protect right whales, it failed to move forward. The federal government must now make a final decision about where and how much additional habitat should be protected.

