

HUMANE ACTIVIST

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ATTACK ON THE STATES

DOZENS OF ANIMAL
PROTECTION LAWS AT RISK



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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.

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PRESIDENT'S LETTER //



Dear Friends,

It takes a combination of state and federal efforts to provide comprehensive and effective animal protection laws. Lawmakers in Pennsylvania were late to the table in terms of punishing extreme and malicious acts of animal cruelty as a felony on the first offense, and Gov. Tom Wolf was delighted to finally right that wrong when he signed Libre's Law earlier this year.

Surrounded by a crowd of animal advocates and lawmakers, Wolf eagerly signed the comprehensive overhaul of the Keystone State's anti-cruelty statutes. He was joined by a Boston terrier named Libre, who dipped his paw in paint and stamped his print on the bill.

Libre was the victim of a shocking case of mistreatment that touched the hearts of many Pennsylvanians. He was rescued by a delivery truck driver who spotted the emaciated, mange-ridden puppy on a Lancaster County farm. His alleged abusers weren't charged, prompting calls for tougher cruelty laws.

Libre's Law passed by 167-20 in the Pennsylvania House and 49-0 in the Senate. It strengthens animal cruelty and neglect laws so that future cases like Libre's don't go unpunished. Penalties are now clearly delineated among summary offenses, misdemeanors and felony charges based on the seriousness of the abuse. The law also provides escalated penalties for repeat offenders. This is a major victory and the most comprehensive animal protection package in state history.

While all 50 states now have some felony-level penalties for cruelty, compared to only four in the mid-1980s, there is still no general federal anti-cruelty statute. We are working to change that, with the Preventing Animal Cruelty and Torture (PACT) Act—S. 654 introduced by Sens. Pat Toomey, R-Pa., and Richard Blumenthal, D-Conn., and H.R. 1494 introduced by Reps. Lamar Smith, R-Texas, and Ted Deutch, D-Fla.—which now has 19 bipartisan co-sponsors in the Senate and more than 225 in the House.

The PACT Act would close this gap in the law and provide prosecutors with a valuable additional tool when animal cruelty is occurring in a federal facility or in interstate commerce.

As we've seen with animal fighting, the state and federal laws are complementary. With animal cruelty, too, most cases can be handled under the existing state statutes. The federal law wouldn't interfere with those of the states but would provide an additional overlay when necessary. The PACT Act has been endorsed by more than 200 law enforcement agencies in 36 states and national groups including the National Sheriffs' Association, Fraternal Order of Police and Association of Prosecuting Attorneys.

It's long past time that Congress empowers the FBI and U.S. attorneys to deal with malicious and deviant cruelty on federal property or that crosses state lines. We know there is a well-documented link between animal abuse and other forms of violent behavior, and this legislation is a tool to make communities safer for animals and people.

Sincerely,

Michael Markarian

President

Humane Society Legislative Fund



Radical federal overreach

BILL THREATENS STATE ANIMAL PROTECTION LAWS

AS HOUSE AND SENATE agriculture committee members begin assembling the next farm bill, HSLF is gearing up for a protracted fight against big ag proponents and the federal lawmakers who cater to them.

Negotiations for the mammoth bill, which is renewed about every five years, seem likely to include a lengthy battle over states' rights and animal welfare, judging from legislation Rep. Jim Sensenbrenner, R-Wis., introduced in June. Misleadingly named the No Regulation Without Representation Act (H.R. 2887), the bill would prohibit states from enforcing regulations on people and businesses with only a limited physical presence in the taxing or regulating state.

"Basically, what the bill does is pre-empt state laws," explains Marty Irby, senior adviser for HSLF.

HSLF has fought this battle before. During negotiations on the last farm bill, Rep. Steve King, R-Iowa, introduced an amendment that was designed to negate most state and local laws regarding the production or manufacture of agriculture products. HSLF worked with our allies in Congress to ax that dangerous amendment in the final bill negotiated by the conference committee and signed by President Obama in 2014.

Sensenbrenner's bill, Irby says, is "the King amendment on steroids." He predicts members of Congress will attempt to fold H.R. 2887 or a rehash of the King amendment into the next farm bill.

Numerous pieces of legislation get included in the nearly trillion-dollar package, which means the provisions typically receive less discussion than individual bills. "Usually things are moving fast," Irby says.

The No Regulation Without Representation Act could put dozens of hard-won state animal protection laws at risk, including measures

dealing with puppy mills, the extreme confinement of farm animals, horse slaughter and the sale of horsemeat, the sale of foie gras produced by force-feeding ducks and geese, tail docking of dairy cows and commerce in shark fins, ivory and rhino horn.

Michael Markarian, president of HSLF, describes Sensenbrenner's bill as "a radical federal overreach" and notes that it's "much more sweeping than just agriculture products."

"There's no telling how broadly this could be applied to state and local laws across a wide range of businesses," Markarian says.

In May, the U.S. Supreme Court elected not to hear an appeal by six ag-state attorneys general and governors seeking to overturn California's landmark egg sales law, which prohibits sales of eggs from farms that severely confine hens (see p. 8). With Sensenbrenner's bill, members of Congress aligned with big ag hope to achieve through legislation what they couldn't get done in the courts: to force states to allow commerce in products they have banned.

The bipartisan National Conference of State Legislatures describes the legislation as "one of the most coercive, intrusive, and preemptive legislative measures ever introduced in Congress."

"The Framers of the Constitution would be alarmed, as they intended the role of the federal government to be limited," a letter from the organization reads. "The No Regulation Without Representation Act embodies the usurpation of state sovereignty and expansion of federal overreach the Framers feared."

+ TO GET UPDATES on the farm bill and other key animal protection measures, sign up to receive HSLF email alerts at hslf.org.

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 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.

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.

Preventing Unkind and Painful Procedures and Experiments on Respected Species (PUPPERS) Act

H.R. 3197

To prohibit the Department of Veterans Affairs from conducting medical research that causes significant pain or distress to dogs. Sponsors: Reps. Brat, R-Va.; Titus, D-Nev. (Passed the House as an amendment to a defense spending bill.)

Federal Accountability in Chemical Testing (FACT) Act

H.R. 816

To amend the Interagency Coordinating Committee on the Validation of Alternative Methods Authorization Act of 2000 to improve reporting about animal testing and alternative test methods use by federal agencies. Sponsor: Rep. Calvert, R-Calif.

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.

Government Transparency



Animal Welfare Accountability and Transparency Act

H.R. 1368 / S. 503

To require the USDA to restore online searchable access to 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.

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.

Equines



Safeguard American Food Exports (SAFE) Act

H.R. 1113 / S. 1706

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. / Sens. Menendez, D-N.J.; Graham, R-S.C.; Whitehouse, D-R.I.; Collins, R-Maine

Prevent All Soring Tactics (PAST) Act

H.R. 1847

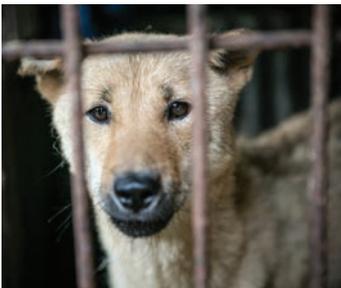
To amend the Horse Protection Act to end the failed system of industry self-policing and use of devices integral to soring, strengthen penalties, and make illegal the actual soring of a horse for the purpose of showing or selling the animal. Sponsors: Reps. Yoho, R-Fla.; Schrader, D-Ore.; Marino, R-Pa.;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

Pet and Women Safety (PAWS) Act

H.R. 909 / S. 322

To expand federal domestic violence protections to include safeguards and help arrange shelter 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.



Dog and Cat Meat Trade 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.

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 while they are held for evidence and to expedite their adoption. Sponsors: Reps. Katko, R-N.Y.; Chu, D-Calif.

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.

Shark Fin Trade 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 House version is titled the Shark Fin Sales Elimination Act.) Sponsors: Rep. Royce, R-Calif. / Sens. Booker, D-N.J.; Capito, R-W.Va.



Friends not food

U.S. LAWMAKERS TAKE STRONG STANCE AGAINST DOG AND CAT MEAT TRADE

REPORTS LAST SPRING suggesting government officials would ban selling dog meat during the globally infamous dog meat “festival” in Yulin, China, failed to pan out. Even so, animal advocates remain optimistic that the world is moving closer to a day when no cats or dogs are butchered for human consumption.

A June 2016 survey found that 70 percent of people in China have never eaten dog meat and that it’s a rare food choice for most others. In a recent online poll, nearly 9 million Chinese citizens supported a legislative proposal to ban the slaughter of dogs and cats, and tens of thousands have rallied in the streets against the practice.

As global outrage has grown, the popularity of the Yulin dog meat festival, launched in 2010 to boost sales of dog meat, has diminished. At the festival’s height, an estimated 10,000 to 15,000 dogs were slaughtered for the event, but that number has shrunk to

2,000 or less in recent years. At this year’s festival, Yulin law enforcement officers conducted numerous inspections at the markets to enforce a new rule that only two dog carcasses per stand could be displayed. Officers closed down stands that didn’t follow the rules, according to Humane Society International.

HSLF is working with U.S. Reps. Alcee Hastings, D-Fla., and Vern Buchanan, R-Fla., along with other humane members of Congress, to put pressure on the global community to end this gruesome practice and ensure it never takes hold here in the U.S.

“The dog and cat meat trade, and in particular the Yulin Dog Meat Festival, where thousands of dogs are tortured and slaughtered for their meat during the summer solstice, is absolutely barbaric and deserving of international attention,” Hastings wrote in a statement for *Humane Activist*.

In January, Hastings reintroduced a resolution (H. Res. 30) condemning the Yulin

festival and urging the Chinese government to better enforce its food safety and animal transportation laws that should preclude the dog and cat meat trade. In June, Hastings and Buchanan introduced a broader resolution (H. Res. 401) urging every nation to adopt and enforce laws banning the trade in dog and cat meat.

Peter Li, China policy specialist at Humane Society International, doesn’t see these resolutions moving Chinese authorities to abruptly shut down the trade, but he does think they will get their attention. “It is going to apply enormous moral pressure on the authorities to look at the issue, to take the issue seriously and see if the dog meat industry is really in China’s best interest,” Li says.

To set an example in our own country, Hastings and Buchanan introduced the Dog and Cat Meat Trade Prohibition Act of 2017 (H.R. 1406) in March. HSLF staff worked closely with the Florida congressmen to draft the bill, which would amend the federal Animal Welfare Act to ban the dog and cat meat trade.

“While consumption of dog and cat meat in the United States is limited, it does exist,” says Wayne Pacelle, executive vice president of HSLF. “It is imperative that we strike it down so that it will not expand, and so that we send a signal to the world that we are taking action against the trade here at home.”

+ ASK your U.S. representative to co-sponsor H.R. 1406 and H. Res. 401 and do everything possible to bring them to the House floor for a vote. If your representative is already a co-sponsor, please thank them. View bill summaries with co-sponsor lists at legislation.hslf.org.



Sheltering the victims

PERPETRATORS SHOULD PAY COSTS OF CARE
IN CRUELTY CASES

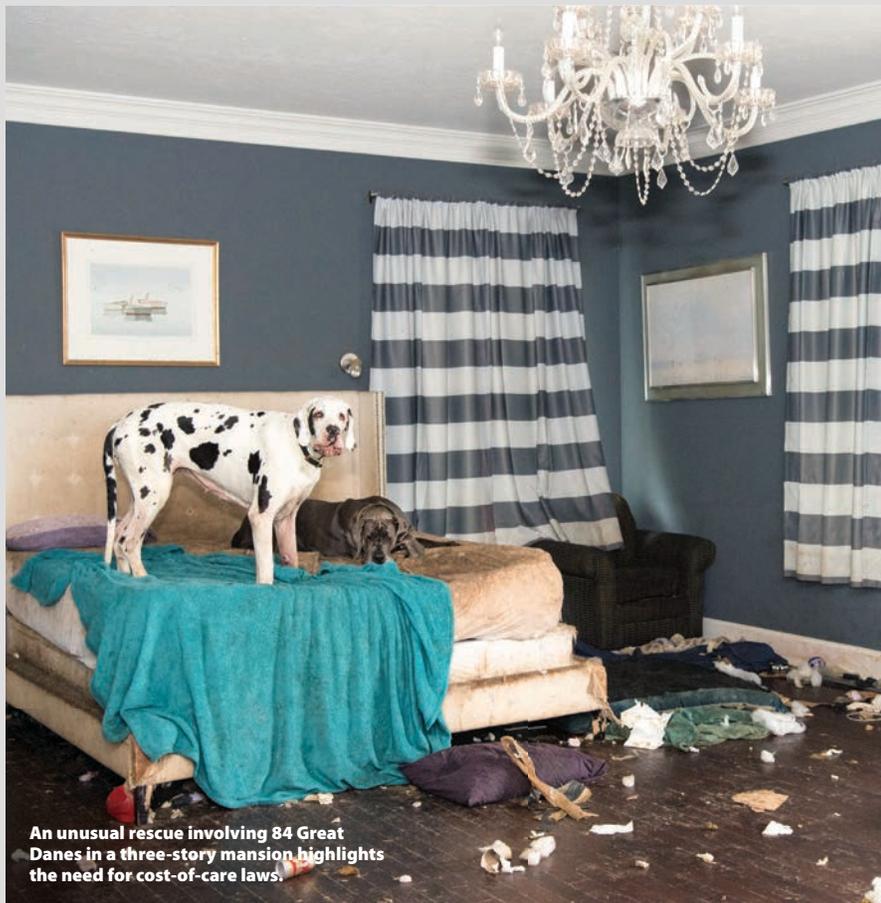
LINDSAY HAMRICK vividly recalls the horrors she discovered within a 15,000-square-foot mansion in a resort community in central New Hampshire. “The ammonia smell, when you walked in, was so overpowering, your eyes started to tear up,” she says.

During the June 16 rescue, dozens of Great Danes were removed from the home, a suspected puppy mill, and taken to an emergency shelter.

As New Hampshire state director for The HSUS, Hamrick is no stranger to large-scale animal rescues. She’s seen cases where animals had dirty or empty water dishes, but in this three-floor home that had been home to 84 dogs, Hamrick spotted no bowls at all. “I saw absolutely no sign of water,” she says.

Rescuers traversed floors so covered in feces that it was difficult to walk without slipping—even before they began moving the 150-pound canines out of the home. Some of the Great Danes’ eyelids were so swollen they looked as if they had red rubber balls for eyes.

The alleged perpetrator has been charged with two counts of animal cruelty. She has vowed to fight the charges. The trial is set for October.



An unusual rescue involving 84 Great Danes in a three-story mansion highlights the need for cost-of-care laws.

In the meantime, the dogs will be in a temporary shelter, racking up expenses. The Great Danes go through 132 pounds of food a day, and 16 dogs need eye surgery, according to Hamrick. The total costs may run into the hundreds of thousands of dollars. The HSUS, which expects to care for the dogs at least through the trial date, is footing the bill as a service to the town of Wolfeboro.

It’s a common scenario: In states without cost-of-care laws, animal protection nonprofits or local governments get stuck with the costs of sheltering animals as cruelty cases wind their way through the justice system. The expenses can be backbreaking, and perpetrators can sometimes negotiate lighter charges—or no charges—in exchange for relinquishing custody of the animals.

To fix this, more and more states have enacted strong cost-of-care laws, which require owners to cover the expenses of caring for animals in cruelty cases until the conclusion of the trial. With these types of laws, the financial burden of caring for seized animals rests with the owner, and not with the taxpayer or local humane society. If the owner refuses to pay, the animals who are the victims of cruelty can find a new home and not languish in a shelter for months on end.

“It should be the person responsible for the cruelty who pays,” says HSUS vice president Ann Chynoweth, who leads the organization’s animal cruelty campaign. New Jersey legislators have come to the same conclusion. Both houses of the state legislature overwhelmingly

passed separate cost-of-care measures, which were strongly supported by the state’s law enforcement agencies and shelters. Lawmakers will need to work out the differences in the bills and move forward with a clean bill by early January, the end of the two-year legislative session, says Brian Hackett, New Jersey state director for The HSUS.

HSLF is also lobbying for passage of the federal Help Extract Animals from Red Tape (HEART) Act (H.R. 398). Sponsored by Reps. John Katko, R-N.Y., and Judy Chu, D-Calif., the legislation requires owners of animals seized in federal animal fighting cases to be responsible for the costs of their care and expedites the process of getting the animals rehabilitated and into adoptive homes.

Hamrick worked with Chynoweth in 2015 to push for a cost-of-care bill in the New Hampshire state legislature. It failed to pass, but a similar bill is likely to be introduced in the 2018 session. Hamrick believes the publicity generated by the horrors of the Great Dane case will influence legislators to do the right thing this time. “There’s already a shift happening,” she says.

+ GO TO hslf.org/HEART to ask your U.S. representative to support the HEART Act.



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THE EYES HAVE IT //



Bill Richardson
(left) with HSLF's
Wayne Pacelle

➡ Former New Mexico Governor and U.S. Ambassador to the United Nations **BILL RICHARDSON** helped broker a May agreement between The HSUS and the New York Blood Center (NYBC) to provide long-term care for more than 60 chimpanzees once used by the NYBC for medical experiments. After ending its research program in 2006, the NYBC placed the chimpanzees on a set of estuary islands in Liberia. The HSUS stepped in to care for the animals in 2015 when they were found with insufficient food and water. As part of the agreement, the NYBC is providing \$6 million in funding to The HSUS, which has agreed to assume permanent responsibility for providing lifetime care for the chimpanzees, some of whom could live for another 40 years or longer. Richardson, the founder of the Richardson Center for Global Engagement, says: “There’s now a clear pathway to care for these chimpanzees in the decades ahead.”

➡ In the aftermath of the United Kingdom’s June general election, some political analysts are speculating that **OPPOSITION TO ANIMAL CRUELTY** played a role in the results. Before the election, Prime Minister Theresa May announced she would allow a free vote in Parliament on whether to repeal the country’s ban on hound hunting of foxes. But instead of winning a larger majority in Parliament as predicted, May’s Conservative Party lost 13 seats. The House of Commons voted to ban foxhunting with hounds in 2004, and recent polling shows that more than 80 percent of Britons oppose the so-called sport.

➡ In May, the **U.S. SUPREME COURT** rejected a request to hear a challenge to California’s landmark egg sales law. Attorneys general and governors from Missouri, Nebraska, Oklahoma,

Alabama, Kentucky and Iowa sought to overturn the law, which bans the sale of eggs from hens kept in extreme confinement systems. The decision reaffirms a November 2016 9th Circuit Court of Appeals ruling, which dismissed their claim that the law discriminates against out-of-state producers—a claim they made even though the law applies to all eggs regardless of their state of origin.

➡ The U.S. Department of Agriculture (USDA) received a deluge of comments from **CONSUMERS AND FARMERS** opposing the Trump administration’s efforts to subvert the Organic Livestock and Poultry Practices rule. An analysis completed by HSLF and The HSUS found that of 47,000 comments received by the USDA in response to a request for public input, 99.5 percent of commenters opposed the rule being delayed and urged the agency to implement it. Adopted by the Obama administration in January, the rule covers an array of housing, husbandry and management topics, including outdoor access, prohibitions on tail docking of pigs and cattle, debeaking of birds and other painful practices for products labeled organic.

