Bison leave Yellowstone: beyond lies almost certain death at the hands of game wardens employed by Montana’s Department of Fish, Wildlife, and Parks.

WILDLIFE

Montana vs. Bison—Again

State controls fate of park wanderers

Almost every winter for more than fifteen years, bison from Yellowstone National Park’s northern herd have crossed the invisible line that separates the park from the state of Montana. Perhaps the bison are searching for food and water; perhaps they’re traveling from force of habit. In stepping beyond Yellowstone’s protective boundaries, however, they unknowingly walk toward a senseless and brutal death.

In January the HSUS learned of a particularly ghastly and telling aspect of the Yellowstone bison controversy. Rather than requiring the safe disposal of entrails from killed and butchered bison, Montana authorities permitted the entrails to accumulate on the grounds of a local ranch until they covered an area thirty-five feet long and six feet wide. The organism that causes brucellosis (the bacterium Brucella abortus) lives only in internal organs, especially the reproductive organs, and usually is transmitted when aborted fetuses or other birthing material is released from an infected cow (a very unusual event for Yellowstone bison). In failing to ensure the safe disposal of potentially infected organs, the state’s policy of killing bison almost surely increased the risk of brucellosis transmission to domestic cattle, as well as to coyotes, grizzly bears, and other scavengers that might consume the infected tissues.

Recent events, however, have confirmed the HSUS’s repeated assertion that brucellosis risk is remote and only a rationalization for killing:

• Both sides of the controversy acknowledge that bison bulls cannot transmit brucellosis to domestic cattle. Montana’s previous policies recognized this fact in allowing flexibility regarding the treatment of bison bulls leaving Yellowstone. However, new livestock-board rules require the killing of all bison outside the park, including bulls.

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• Between 15,000 and 20,000 wild elk inhabit northern Yellowstone. Unlike bison, the elk are permitted to cross freely in and out of the park; yet, the evidence indicates that bison are no more likely than elk to transmit brucellosis to cattle. Why do those who are calling for the killing of bison raise no objections to the free-ranging elk? David Wills, HSUS vice president, investigations, has suggested that the answer lies in the fact that lucrative elk hunting thrives just outside Yellowstone Park (see the Spring 1991 HSUS News).

• The U.S. Department of Interior (DOI) has been sued for allegedly permitting infected bison or elk grazing on federal lands to transmit brucellosis to cattle owned by the Wyoming-based Parker Land & Cattle Company. Ironically, the DOI is defending itself in part by asserting that brucellosis has never been transmitted to domestic cattle by free-ranging elk or bison.

As claims of brucellosis risk have weakened, Montana’s campaign against the bison has become only more unyielding and irrational. Sadly, the National Park Service has little legal control over the fate of Yellowstone’s bison once they leave the park. For now, responsibility for the lives of Yellowstone’s bison rests with the state of Montana.

Although legal efforts to stop the killing have so far failed, The HSUS is continuing to explore all possible channels. We are working with the National Park Service and the state of Montana in the preparation of a long-term bison-management plan for Yellowstone. Such a plan could include “bison-safe” buffer zones around the park or a humanely administered transfer program. The HSUS remains committed to allowing Yellowstone’s bison to live in peace—Allen Rutherford, senior scientist, wildlife and habitat protection agency.

Bad News for Bears

Spring hunting seasons orphan cubs

If traditional wildlife management has one unshakable tenet, it is that wildlife must not be hunted during the season in which young depend on adults for food and protection. Flouting this principle, several states hold spring hunting seasons on black bear. These seasons undeniably leave very young bear cubs orphaned and certain either to die a prolonged and painful death or face life in captivity.

Each fall, in preparation for sleeping through the winter in a snug den, black bears gorge on nuts, berries, grasses, grubs, rodents, carrion, and other foods. Once the bear is in its den, its body temperature drops and its respiratory and metabolic rates decrease by about one half. While hibernating, female bears (sows) three and a half years or older may give birth—usually to twins, but sometimes to as many as five cubs. Each is blind and dependent on the sow. For two or three months, the cubs eat, sleep, and grow in their insulated den site and avoid predators. The process takes up to a year and a half. In some states, however, bear cubs risk losing their mothers to human hunters long before there is any chance of their surviving on their own.

Eight states—Alaska, Arizona, Colorado, Idaho, Montana, Oregon, Utah, and Wyoming—currently allow hunters to kill black bears during spring seasons ranging in length from a few weeks to several months. Although these states prohibit the taking of sows with cubs, a bear biologist in one of the states confirmed The HSUS’s
concern that even experienced biologists have difficulty determining if a bear has cubs unless the cubs are actually seen with the mother. Consequently, spring bear seasons may leave young cubs orphaned, certain to die of starvation, exposure, predation, or accident. The fate of cubs found after the sow is killed is not much better—a life in captivity in a roadside zoo, circus, game farm, or other cruel and unnatural environment.

The season is no more fair to adult bears—males or females—than to cubs, since the methods used to hunt the bears have nothing to do with sport or "fair chase." Bears emerging from hibernation are confused and disoriented and move slowly. Their first priority is to find food and meet the energy demands placed upon them during the long winter. Some states that allow spring hunting also permit hunters to set up bait piles of meat scraps, bacon fat, pastries, and fruit. Bears drawn to the smelly buffet are pathetically easy targets. In some states, dogs can be used to track and kill the bears. In recent years spring bear seasons have been most controversial in Colorado. Despite public-opinion polls showing overwhelming opposition to spring bear seasons, the testimony of groups, including The HSUS, and the recommendations of its own wildlife biologists, the Colorado Wildlife Commission recently voted to continue the spring season and lengthen it by two weeks. Although a three-year plan calls for a gradual reduction in the number of bears killed during the spring season, there is no guarantee that the commission will not return to business as usual at the end of the period. Meanwhile, bear cubs will continue to be orphaned. The two-week extension of the season is expected to more than triple the number of lactating females killed in the spring 1992 season. The commission refused to discuss restrictions on the use of bait and dogs.

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to those responsible for their care—that the care of these animals is something for which they are legally accountable and is an important societal obligation. This message is much more consistent with the purposes of the act than the current message the exclusion of these animals conveys: that the researchers may subject the birds, rats, and mice to cruel and inhumane conditions, that such conduct is sanctioned by the government and has no legal consequences.

The HSUS and co-plaintiffs filed the lawsuit in 1990 after they had exhausted other options. (In the late 1980s, The HSUS and other organizations independently corresponded and met with USDA officials on this issue, to no avail. In 1989 The HSUS and ALDF filed an administrative petition with the agency, seeking an end to the arbitrary exclusion of mice, rats, and birds. The petition was denied—hence the need for the lawsuit.)

While the court’s ruling stops short of explicitly ordering the USDA to begin regulating the care and treatment of mice, rats, and birds, it should have the same effect. The court ordered the USDA to reconsider the agency’s denial of the HSUS/ALDF petition “in light of the interpretation of the law set forth by [this] court.”

Dr. Martin L. Stephens, HSUS vice president, laboratory animals, called the court’s decision “a milestone in the protection of laboratory animals. It’s particularly heartening that mice and rats are getting a break. These unbeautiful animals are all but overlooked in animal-welfare debates.”

The USDA regulations specify minimum standards for the housing and care of animals, as well as administrative procedures that research institutions must follow, such as establishing training programs for laboratory workers. When mice, rats, and birds are covered by the regulations, they will benefit from these standards and procedures.

This coverage will have a host of ramifications, including:

• Animal laboratories, schools, or dealers that use or sell only mice, rats, or birds will be subject to AWA regulations for the first time.

• Animal care-and-use committees, which review research proposals, will have to begin scrutinizing all proposals involving mice, rats, or birds.

• Arrogant conditions or treatment of mice, rats, or birds in the laboratory could result in criminal prosecution under the AWA.

• The USDA will begin compiling and publishing year-end statistics on the use and treatment of mice, rats, and birds, yielding a much more comprehensive picture of animal research.

The USDA has sixty days in which to appeal the court’s ruling. The HSUS hopes that the USDA will accept the ruling and begin protecting the animals the agency has disenfranchised for two decades.

Clockwise from above: (From left to right) K. William Wiseman, chairman of the HSUS board of directors, Patricia Forhan, executive vice president, Phyllis Wright, senior consultant, and Paul G. Irwin, president, enjoy Animal Care Expo ’92.

Paul G. Irwin welcomes Expo ’92 exhibitors and attendees to Bally’s Casino Resort in Las Vegas.

Trina Romea of Tuxo-a-Pet explains her company’s services to an attendee in the exhibit hall.

HSUS Mid-Atlantic Regional Director Nina Ausenfeld (left) admires the Expo ’92 tote bag held by Joe and Maria Kousakis, who came to Las Vegas from New Jersey.

On February 2, 1992, the doors opened on one of the largest animal-care gatherings ever. Instead of five hundred attendees the HSUS staff had hoped for, well over one thousand people participated in the first annual HSUS Animal Care Expo. Animal-care workers, administrators, and exhibitors convened at Bally’s Resort in Las Vegas, Nevada. Expo ’92, the vision of HSUS President Paul G. Irwin, proved to be an exciting, educational venture. “The animal-care community needed a clearinghouse for ideas, resources, and materials,” said Mr. Irwin. “The HSUS had the wherewithal to bring all that together under one roof.”

At the welcoming remarks, HSUS Chief Executive John A. Hoyt officially announced that Mr. Irwin would succeed him as president of The HSUS. Mr. Hoyt also announced that he would step into the role of president of The HSUS’s Humane Society International (see the President’s Perspective).

Mr. Irwin recounted how he had asked Phyllis Wright to be the Animal Care Expo ’92 keynote speaker. Recently retired from the position of HSUS vice president, companion animals, she had responded, “No way. Let Marc Paulhus loose on them!” Ms. Wright has been a primary supporter of the animal-care and animal-welfare communities for nearly three decades. It was fitting that so many of her prodigies were present when she passed the...