ANIMAL USE IN MILITARY TESTING

On April 7 the House Armed Services Subcommittee on Research and Development held an oversight hearing on the Department of Defense's (DOD) use of animals in research. HSUS Vice President, Laboratory Animals, Martin Stephens, Ph.D., testified on behalf of The HSUS. The day before the hearing, Dr. Stephens addressed the same topic at a special briefing held for congressional staff. The briefing was hosted by the Congressional Friends of Animals Caucus, a bipartisan group of members of Congress interested in animal protection.

At both forums Dr. Stephens explained The HSUS's concerns about the disturbing scale of animal use and suffering in the military's experiments and the lack of meaningful outside scrutiny of the DOD's animal-care-and-use programs. The U.S. Department of Agriculture (USDA), which enforces the Animal Welfare Act (AWA), does not monitor the DOD's compliance with that act.

A year ago HSUS Laboratory Animals staff decided to pursue these concerns through a series of meetings with high-level DOD officials.

The oversight hearing and congressional briefing gave us the opportunity to present our concerns directly to Congress. The HSUS proposed that the USDA begin overseeing the DOD's compliance with the AWA. We also recommended that the DOD be required to take the following steps: (1) submit an annual report to Congress on its animal-care-and-use programs; (2) establish an aggressive alternatives program that replaces, reduces, and refines current uses of animals; (3) appoint an ombudsman for humane issues at each DOD animal-research facility; and (4) appoint people to DOD animal-care-and-use committees who have demonstrated a personal commitment to animal protection.

On May 18 most of our recommendations were incorporated into the House Committee on Armed Services' report accompanying the DOD authorization bill. The HSUS will work to ensure that these recommendations survive the remaining stages of the legislative process.

REAUTHORIZATION ADVANCES

On April 10 the Senate Environment and Public Works Subcommittee on Environmental Protection held an oversight hearing on the reauthorization of the Endangered Species Act (ESA). Michael Bean of the Environmental Defense Fund testified on behalf of the Endangered Species Coalition, which includes The HSUS. Using the example of the controversial "turtle-excluder devices" (TEDs), Mr. Bean commented on the mistruths currently circulating in the media about the adverse economic impact that ESA regulations have supposedly generated. He noted that opponents of TEDs had claimed that the devices would produce few benefits for turtles, yet in 1991 fewer dead sea turtles washed ashore on South Carolina's beaches than did so in the first two weeks of the shrimping season in 1987.

Rep. Gerry Studds of Massachusetts has introduced H.R. 4045, the house version of ESA reauthorization legislation. A comparable bill will probably be introduced soon in the Senate.

On May 14 the Endangered Species Committee established by the Department of Interior, the so-called God Squad, voted to exempt from ESA protection thirteen tracts of the threatened northern spotted owl's habitat (1,700 acres of federally owned forest in Oregon). The HSUS believes that the process under which the Endangered Species Committee arrived at its decision was seriously biased against the preservation of the owl. The HSUS will continue to work for a strong and effective owl recovery plan and for passage of strong ESA legislation.

PATENTING BILL INTRODUCED

On April 28, 1992, Rep. Benjamin Cardin of Maryland introduced H.R. 4989, a bill to provide for a five-year moratorium on the granting of patents on invertebrate or vertebrate animals, including those that have been genetically engineered. This bill is the house version of S. 1291, introduced last year by Sen. Mark Hatfield of Oregon. The moratorium does not apply if regulatory standards are issued to deal with the potential problems of animal patenting. Genetically engineered animals are produced by splicing DNA-containing genes from one animal (or human being) into another animal. So far the only recipients of such a patent have been Harvard University and DuPont Corporation, for their creation of a mouse with human cancer genes. The HSUS is concerned about the economic, ethical, and environmental consequences of the creation and release of such animals. We strongly support the moratorium provided for in these bills because it would give Congress time to study the complicated questions raised by this issue and the government time to establish regulations that would specifically address animal patenting.
BREAK-IN BILL MODIFIED

On April 2 the House Agriculture Committee approved H.R. 2407, the Farm Animal and Research Facility Protection Act, sponsored by Rep. Charles Stenholm of Texas and more than 250 cosponsors. In a recent meeting with Representative Stenholm, The HSUS expressed our concerns. Before the Agriculture Committee approved the bill, significant changes were made, including the provision that it would not be a crime to photocopy or receive material that indicates possible violations of animal-protection laws and the addition of a whistleblower-protection provision.

While we are pleased that these changes were made, we still question the need for federal legislation to address crimes already covered by state and local laws. We also have serious concerns about the broad territory included under the bill, including exhibition-animal facilities, and believe that the whistleblower-protection language needs to be strengthened. Unfortunately it is expected that similar, though less expansive, language on research-facility break-ins will be included in the National Institutes of Health Reauthorization Act, pending final approval by Congress.

WILD-CAUGHT BIRDS HAVE A THIRD BILL

Last June two bills were introduced in both the House of Representatives and the Senate that would end the importation into the United States of wild-caught birds for the pet trade. Although diverse groups have supported a ban on the import of wild-caught birds, the legislation has not moved.

In an effort to move the issue off dead center, Rep. Gerry Studds of Massachusetts, chairman of the House Merchant Marine Fisheries Subcommittee, has introduced a third bill, the Wild Bird Conservation Act of 1992 (H.R. 5013). Representative Studds had scheduled a hearing for June 16.

Although The HSUS is pleased with the efforts of Representative Studds to resolve this issue, we believe certain aspects of H.R. 5013 need to be strengthened. Most important is the need to ensure that the bill covers all imported birds; that prohibited acts are broadened to include possession, delivery, and receipt, as well as importation; and that both civil and criminal penalties will be authorized to ensure adequate enforcement.

The HSUS was to be represented at the June hearing. We planned to push hard for passage of meaningful legislation.

APPROPRIATIONS REQUEST MADE

Once again The HSUS has put forward our request for much-needed federal funding for enforcement of several crucial animal-protection and alternative-agriculture programs. Martha Cole Glenn, director of Federal Legislative Affairs, testified in support of the HSUS position at an April 14 hearing before the House Appropriations Committee Subcommittee on Agriculture, Rural Development and Related Agencies.

As her sister looks on, Carrie McDougall of The Woodlands, Texas, is honored by HSUS Chief Executive John A. Hoyt at the February 18 annual congressional reception of the Wildlife Refuge Reform Coalition and The HSUS. Ms. McDougall, nine, was chosen as first-place winner among 600 entries in the first national poster contest sponsored by the coalition. Contestants were asked to depict the importance of refuges as sanctuaries for animals. Ms. McDougall's prizes include the trip to Washington, D.C., with her family for the reception, a $100 U.S. savings bond, and a trip to Yellowstone National Park and Montana's Red Rock Lakes National Refuge. The HSUS continues to work with the coalition for the passage of H.R. 330, which seeks to end hunting and trapping within national wildlife refuges.

The HSUS has requested increased funding for research into nonlethal methods of animal-damage control. (Each year the USDA kills thousands of predatory animals, particularly in the western states, through its Animal Damage Control program.) We also requested increased fiscal year '93 funding of $23 million dollars for enforcement of the AWA, the nation's chief animal-protection law. These funds would ensure that there are enough inspectors to undertake sufficient inspections of facilities covered by the AWA, including puppy mills.

Finally, The HSUS continues our commitment to the sustainable and organic agriculture programs that benefit both producers and the environment by requesting $780,000 for the growth and further implementation of the National Organic Standards Board, which will establish a national labeling program for organic foods; $25 million for the continuation and increase of sustainable agriculture research and education; and $20 million for training Cooperative Extension Service personnel, who, because they are an independent educational resource available to farmers throughout the United States, are vital to widespread agricultural sustainability.
ers were still being subjected to extremely abusive handling.

Our investigators found that downed animals were victims of abuse and neglect at 73 percent of the markets where they were present. At almost half of these markets, penmates of downed animals were allowed to trample them. Downed animals were winched or dragged by the neck, ear, leg, or tail or abandoned “out back” to die, and extremely ill animals were left to suffer without any attempt made to relieve their suffering quickly.

Market employees often displayed a nonchalant attitude toward the animals’ suffering. One auction-ring employee repeatedly cracked jokes about the extremely sick calves passing through the ring, laughingly referring to one calf as “9-1-1.” (He was sold to a meatpacker for $2.) Other downed calves sold for $5–10. One can only question industry’s ability to make animal welfare a priority when animals endure extreme suffering for such small economic gain.

Industry members such as The National Pork Producers Council and some state cattlemen’s associations have made substantial efforts toward resolving the downed-animal problem. A number of U.S. stockyards have stopped accepting downers in response to public concern. Unfortunately, the livestock industry is not united in its dedication to resolving this problem and many in industry continue to turn a deaf ear.

Legislation is urgently needed. Farm animals are specifically exempted from anticruelty statues in some states, and laws in others are interpreted to exclude farm animals. The only federal law with any reference to the handling of animals in livestock markets, the Packers and Stockyards Act, is designed to protect only the economic value of an animal.

Sen. Daniel Akaka of Hawaii has introduced S. 2296, the Downed Animal Protection Act, and The HSUS is committed to seeing such legislation passed.

The public must continue to voice its concern for downed animals. If the livestock industry is unable to resolve successfully so basic a problem as the cruelties endured by .1 percent of the animals it markets, how can the public be certain that the industry can address consumers’ broader concerns?—Melanie Adcock, D.V.M., director of farm animals

**NEW NUMBER FOR CUB**

The phone number has changed for Coloradans United for Bears, the coalition formed to outlaw spring, bait, and hound hunting of black bears reported on in the Spring *HSUS News*. The new number is (303) 494–3710.

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**A Serene Scene For the Holidays**

Wildlife artist Robert Seabeck’s elegant swan carries HSUS members’ holiday greeting to loved ones this year. Each package of 20 cards and envelopes costs $8. The greeting reads, “May all creatures of the Earth know the peace and joy of this season.” Last year’s card sold out early, so order soon—supplies are limited. (Cards are available after August 1, 1992.)

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Shipping and Handling is included in rates. All orders must be prepaid and will be filled while supplies last. Make all checks payable to The HSUS and send to HSUS Greeting Cards, 2100 L St., NW, Washington, DC 20037. We ship UPS; please provide a street address or use the removable label provided on the back of this magazine. Allow four to six weeks for delivery.