

HUMANE ACTIVIST

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*OFF TO A
HUMANE START*

The 116th Congress puts
its best paw forward



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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,

If I've learned one thing during my 30-year career lobbying for animals, it's that you must always be optimistic. Opportunities to advance our cause are around every corner, and it takes a sophisticated, experienced and determined group of advocates, with backing from constituents who will engage with their elected officials, to make the sort of impact that is necessary to protect animals.

Last year, despite widespread support and large, bipartisan co-sponsorships for several animal protection bills, a handful of members of Congress in powerful positions blocked votes on these popular measures. With committee and leadership positions in the House of Representatives now in the hands of more animal-friendly legislators, we're hopeful that these bills will progress to the House floor.

The outcomes for animals in the FY 2019 spending bill demonstrate the importance of plugging away at every turn to advance our cause. Signed in February, the spending measure excluded a provision passed in 2018 by the Republican-led House to remove gray wolves from the protections of the Endangered Species Act (though as we go to press, the U.S. Fish and Wildlife Service is poised to issue a proposal that would do just that). Negotiators rejected an attempt to derail a grizzly bear reintroduction program and once again nixed spending that would have allowed horse slaughter on U.S. soil. A \$500,000 increase for enforcement of the Animal Welfare Act was included, and Congress allocated over \$21 million for an Environmental Protection Agency program to develop alternatives for animal tests, rejecting an administration request to cut funding by \$4 million.

I'm heartened by other recent examples of new policies and efforts to protect animals, such as the National Park Service's work to increase the genetic diversity of an isolated population of wolves on Michigan's Isle Royale, with wolves relocated from other areas.

Still, the overall situation for too many animals is far from rosy. The needless testing of cosmetics on animals is an urgent problem that we must bring to an end. Congress' failure to pass a law to end the horrific practice of horse soring is shameful. The misery of dogs at puppy mills is heartbreaking and could be alleviated with the passage of laws providing additional enforcement tools and commercial breeder requirements. The suffering that these animals endure, combined with the responsibility that we have to be their voice, fuels our efforts every day. We spend a lot of time focused on what remains to be done, but it's important to take time to celebrate victories, too.

We so appreciate your support. We could never fight these battles or secure these victories without each of you by our side.

Sincerely,

Sara Amundson
President
Humane Society Legislative Fund



Off to a humane start

WITH BIPARTISAN APPEAL, ANIMAL PROTECTION LEGISLATION GATHERS MOMENTUM IN THE 116TH CONGRESS

PERHAPS EAGER to dispel the assumption that a divided Congress inevitably leads to gridlock, members of the Democratic-controlled House and the Republican-controlled Senate seem to be seeking opportunities (at least some of the time) to focus on bipartisan issues.

Fortunately, animal welfare has a long history of garnering support from both parties. “Protecting our pets, protecting our animals is an issue that nearly everyone agrees on,” Rep. Ted Deutch, D-Fla., said during a recent news conference at a Fort Lauderdale animal shelter.

Soon after the 116th Congress convened in January, lawmakers introduced a slate of humane bills, including legislation that would tackle animal cruelty and protect horses and wildlife. “It’s helpful that several animal protection bills were introduced early,” says Tracie Letterman, vice president of federal affairs for the Humane Society Legislative Fund. “As a result, we were able to start outreach right away to get these issues on members’ radars and to win their support of these bills.”

One bill in particular—the Preventing Animal Cruelty and Torture (PACT) Act (H.R. 724/S. 479)—has been gaining momentum among both legislators and the public.

The PACT Act, which would make malicious acts of animal cruelty felony crimes under federal law, has received widespread social media attention and news coverage, including a feature that turned up alongside stories about Miranda Lambert and Kylie Jenner on *People.com*.

Champions of the bill have been working hard to spread the word about its importance. Deutch and Rep. Vern Buchanan, R-Fla., both held events on Feb. 4 at animal shelters in different parts of their state to talk about the legislation, which they reintroduced in the House on Jan. 23.

“When I first ran for Congress, a lot of my focus was on small business and jobs,” Buchanan said while standing in front of the Humane Society of Manatee County in Bradenton. “But I can tell you [that] . . . one of the biggest areas we need to continue to work on in a bipartisan basis is animal issues and protecting our animals.”

Sen. Richard Blumenthal, D-Conn., who reintroduced the PACT Act in the Senate with Sen. Pat Toomey, R-Pa., stood in the snow outside West Hartford’s animal control facility on Feb. 18 to talk up the PACT Act. “Literally every day, hundreds of dogs and other animals are maimed, injured, tortured, burned,” Blumenthal said. “It has to stop.”

With the Animal Crush Video Prohibition Act of 2010, which passed with HSLF’s support, Congress prohibited the trade in obscene “crush” videos, which show the intentional crushing, burning, drowning, suffocating, impaling or other heinous abuse of live animals.

Just the thought of the violence depicted in these videos “makes people cringe,” Deutch said at the February news conference. “But nine years later, the underlying

continued on p. 4

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act of cruelty toward animals is still legal at the federal level” if there’s no video involved.

The PACT Act would close this loophole by allowing federal law enforcement authorities to prosecute those same extreme acts of animal cruelty, regardless of whether the act is filmed.

While the Humane Society of the United States has successfully pushed for all 50 states to enact felony-level penalties for malicious acts of animal cruelty, the PACT Act would provide an additional tool for law enforcement that could be employed when animal cruelty occurs on federal property or in interstate commerce. “We need this on the federal level to prohibit animal cruelty that crosses state lines,” says Kate MacFall, HSUS Florida state director.

The U.S. Senate unanimously passed the PACT Act twice before. The law would have passed the House in past years, too, if it had not been repeatedly blocked from coming to the floor by former House Judiciary Chairman Bob Goodlatte, R-Va., who fortunately has now retired. The new committee chairman, Rep. Jerrold Nadler, D-N.Y., fully supports the PACT Act. “I am confident we’ll

get this bill passed,” Deutch said.

Other pieces of humane legislation introduced in the first two months of the 116th Congress include the Welfare of Our Friends (WOOF) Act, Safeguard American Food Exports (SAFE) Act, Shark Fin Sales Elimination Act and U.S. Senator Joseph D. Tydings Memorial Prevent All Soring Tactics (PAST) Act, named in honor of the late former senator and horse advocate. (Read more about these bills on p. 5.)

KEEPING UP THE MOMENTUM

To encourage federal lawmakers to pass humane legislation, more than 100 faith and farming leaders from 42 states descended on the Capitol in February to speak out for animals. There as part of the HSUS Faith Leader and Farmer Summit on Creation Care, they each had meetings scheduled on Capitol Hill to talk about key measures to protect animals.

Summit participants included faith leaders representing many denominations and institutions, as well as family farmers who work to foster better animal welfare and environmental stewardship. Staff members from

HSLF and the HSUS worked with the faith and farming leaders in advance to explain the proposed measures and then personally guided them to their legislators’ offices.

“We want to show how easy it is to meet with legislators and share that the issues of animal protection are of moral concern across all faiths and backgrounds,” says Erica Geppi, HSUS senior director of faith outreach.

The summit, which included discussions about the faith and farming communities’ roles in animal protection, was also designed to inspire leaders to be even more engaged on these issues in their states and across the country, Geppi says. “We want to broaden their scope of understanding of our faith-based calling to be responsible stewards of animals and send them home inspired to share that message within their communities.”

→ **SPEAK OUT:** Request meetings with your elected officials to talk about the animal issues that mean the most to you. Go to hslf.org/leglookup to find their contact information.



More than 100 faith and farming leaders brought a message of compassion to Congress in February. They included people like Gus Reyes, chief operating officer of the National Hispanic Christian Leadership Conference. “How we care for God’s great creatures is a conversation for all of us, all faiths, all cultures,” Reyes says. “We are all called to be responsible stewards.”

THE FOLLOWING is a sampling 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 identify your legislators and how to reach them, 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. Please note: Due to security procedures, regular mail to members of Congress may be significantly delayed. Calls and emails are the best ways to contact your legislators about pending bills. For the latest about all animal protection bills, visit legislation.hslf.org.

Pets and Cruelty



Preventing Animal Cruelty and Torture (PACT) Act
H.R. 724 / S. 479

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

Welfare of Our Friends (WOOF) Act
H.R. 1002

To prohibit commercial dog breeders whose licenses have been revoked from obtaining a new USDA breeding license and to close related loopholes. Sponsors: Reps. Fitzpatrick, R-Pa.; Crist, D-Fla.; Thompson, R-Pa.; McGovern, D-Pa.

Disaster Preparedness



Providing Responsible Emergency Plans for Animals at Risk of Emerging Disasters (PREPARED) Act
H.R. 1042

To require facilities regulated under the Animal Welfare Act to submit annual plans for emergency situations, including plans for evacuations, backup food and water, and veterinary care in response to natural disasters, power outages, animal escapes and other emergencies. Sponsors: Reps. Titus, D-Nev.; King, R-N.Y.

Wildlife



Shark Fin Sales Elimination Act
H.R. 737

To prohibit possession, sale or purchase of shark fins or any product containing shark fins, and to establish penalties for violations. Sponsors: Reps. Sablan, D-N. Marianas; McCaul, R-Texas

Big Cat Public Safety Act
H.R. 1380

To prohibit possession and breeding of lions, tigers, leopards and other big cat species by individuals and unqualified exhibitors. Sponsors: Reps. Quigley, D-Ill.; Fitzpatrick, R-Pa.

Equines



Safeguard American Food Exports (SAFE) Act
H.R. 961

To ban domestic horse slaughter, stop the export of horses for slaughter abroad and prevent health threats posed by meat from horses raised in the U.S. and given drugs unsafe for humans. Sponsors: Reps. Schakowsky, D-Ill.; Buchanan, R-Fla.

Prevent All Soring Tactics (PAST) Act
H.R. 693

To amend the Horse Protection Act to end the failed system of industry self-policing and use of devices integral to soring, and to establish felony penalties for this cruel practice. Sponsors: Reps. Schrader, D-Ore.; Yoho, R-Fla.; Cohen, D-Tenn.; Estes, R-Kan.; Schakowsky, D-Ill.; Collins, R-N.Y.

High court justice

In a blow to big ag, the Supreme Court rejects attempts to repeal state farm animal protection laws

AT THE URGING OF FACTORY FARMING INTERESTS, 15 states have been working to overturn California and Massachusetts laws enacted in 2010 and 2016 that banned the production and sale of eggs, pork and veal produced in conditions of extreme confinement. Time and again, the courts have upheld states' rights to keep unhealthy, immoral or unsafe products out of their marketplaces, but the agribusiness industry and its backers in state governments have persisted with ill-conceived lawsuits. Fortunately, the Supreme Court recently declined to take up those challenges and also declined to hear a case aimed at overturning California's 2004 ban on the production and sale of force-fed foie gras.

In this edited interview, Jonathan Lovvorn, chief counsel and senior vice president for animal protection litigation at the Humane Society of the United States, explains the significance of the top court in the land allowing the state sales bans to stand.

HA: Opponents of the state sales bans allege they are violations of the U.S. Constitution's commerce clause. Do states have the right under the Constitution to enact laws about agricultural products sold in their states?

Lovvorn: States regulate a lot of things, especially food and consumer items for health, safety and welfare. So while historically they haven't done all they should on animals and agricultural products, they certainly have that authority.



State sales bans have been used to protect the environment, public health and consumers. They simply mean a company can't sell a certain product in a state if it doesn't comply with what the voters or lawmakers in that particular state enacted into law.

Did you expect the Office of the Solicitor General (where the top lawyer for the federal government works) to so emphatically urge the Supreme Court to reject these cases?

We were surprised that they were so forceful in arguing the court shouldn't take the case. They very clearly didn't want this before the court.

What was behind that?

If the federal government had come in and said, "States can't do this," the next logical question would be: "Well then, what is the federal government going to do about humane treatment of farm animals?" They don't want any part of that. Kind of like if you tell someone they can't trim the shrubs because it's your responsibility. Then, you're going to end up trimming the shrubs. They don't want to get stuck with it.

How will the court's decision impact future ballot measures and state laws regulating the treatment of animals?

We're going to see more laws passed like these. On a lot of these animal protection issues, the federal government has in many ways dropped the ball. So we're seeing state legislation to protect animals and particularly to address cruelties in the marketplace.

The work that we do at the state level, working with attorneys general, building those relationships, that matters because you can write the best laws in the world, but when push comes to shove, it's going to be up to the state governments to defend them.



Jonathan Lovvorn

EMERGENCY RESPONSE

Animal rescue teams tote animals to safety in the aftermath of Hurricane Florence in South Carolina in 2018.



Prepping for the worst

FEDERAL BILL WOULD HELP PROTECT MORE ANIMALS IN DISASTERS

IT WAS SOME TIME AFTER 2 a.m. on June 20, 2012, when a driver spotted what he believed to be an injured dog crossing Grand Avenue in Duluth, Minnesota, during torrential rains. Only after passing the animal and then circling back around, the passerby told Minnesota Public Radio, did he realize the dog was actually a seal.

Nearby Lake Superior Zoo had flooded. Feisty, a harbor seal, and his sister Vivian had paddled out of their enclosures when they filled with water. A polar bear, Berlin, also escaped her enclosure. They were the lucky ones. Fourteen of the zoo's animals died in the flood, according to news reports.

A bipartisan bill introduced in Congress in February seeks to prevent tragic scenarios like this. The Providing Responsible Emergency Plans for Animals at Risk of Emerging Disasters (PREPARED) Act (H.R. 1042) would mandate that businesses and institutions regulated under the Animal Welfare Act (AWA)—including zoos, puppy mills, research facilities, circuses and aquariums—create emergency response plans for the animals in their care.

“The lives of animals are too precious to leave to chance,” Rep. Dina Titus, D-Nev., said in a release about the PREPARED Act, which she introduced with Rep. Peter King, R-N.Y. “Sadly, we’ve learned that if these entities do not have a plan in place when an emergency hits, it is already too late.”

Hurricane Katrina in 2005 forever changed how this country responds to disasters. An estimated 600,000 animals were abandoned during that catastrophe. Some people refused to evacuate without their pets—which meant putting themselves and first responders at risk or even losing their lives. In 2006, with our urging, Congress enacted the Pets Evacuation and Transportation Standards (PETS) Act, which requires state and local emergency preparedness plans to account for the needs of companion animals and service animals.

Now we’re working with lawmakers to secure similar protections for animals at AWA-regulated facilities.

“For those who are responsible for the care and well-being of animals it is imperative that they have an emergency plan in place when a disaster strikes,” Rep. King said in the statement about H.R. 1042.

The PREPARED Act would require facilities regulated under the AWA to submit annual plans to the U.S. Department of Agriculture. These would identify emergency situations—including natural disasters, power outages and even animals escaping from enclosures—and provide specific instructions for responding to these emergencies, including steps for evacuating animals, sheltering-in-place, and providing food, water, bedding and veterinary care.

Since experts believe climate change will cause more severe and more frequent natural disasters, Congress should act quickly to pass the PREPARED Act, says Sara Amundson, president of HSLF.

“Having worked to reunite pets with their families post-Hurricane Katrina, I know the difficulties of providing care for thousands of animals after a significant disaster,” Amundson adds. “It only makes sense that commercial operations with animals under their care should have the responsibility to plan for emergencies.”

→ **LEARN MORE** about the PREPARED Act at legislation.hslf.org.



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THE EYES HAVE IT



→ In a *Washington Post* editorial published on Feb. 1, **HILLARY CLINTON** and **JOHN KASICH** denounced President Trump’s attempts to reduce funding for the fight against animal poaching. Clinton, a Democrat who ran against Trump in the 2016 election, and Kasich, the Republican former governor of Ohio, pointed out that battling the illegal wildlife trade rallies support on both sides of the political aisle and that “the time has come to recognize that the world is less safe when criminals profit from stealing and poaching its wildlife and natural resources.” They closed their piece by urging lawmakers to increase funding for global conservation programs and for everyone to work to end the market for ivory and other wildlife parts.

→ **HOUSE REPUBLICAN LEADERS** stripped Rep. Steve King, R-Iowa, of his assignments on the judiciary, small business and agriculture committees following an outcry after King questioned the offensiveness of white nationalism. Along with his history of making racist remarks, King has long been known for his opposition to animal protection measures, including legislation to restrict animal fighting and to protect wildlife. In both the 2014 and 2018 farm bills, King unsuccessfully attempted to attach an amendment that threatened to nullify countless state

and local laws protecting animals and consumers. Now King will mostly be, as *Politico* recently put it, “forced to watch the legislating from the sidelines.” Even so, we couldn’t agree more with Senate Majority Leader Mitch McConnell, R-Ky., who commented that King should “find another line of work.”

→ Arizona sent two animal champions

to the U.S. Senate early this year: Democrat **KYRSTEN SINEMA** and Republican **MARTHA MCSALLY**. As the U.S. House member for Arizona’s 9th Congressional



Sen. Martha McSally

District, Sinema led a letter to the USDA seeking regulatory changes to prevent dog dealers whose licenses have been revoked from renewing their licenses or registering under a new name. She also signed letters calling on President Trump to retain the ban on importing elephant trophies and urging the USDA to abandon its proposal to outsource oversight of animal facilities to private industry. While serving as the U.S. representative for Arizona’s 2nd Congressional District, McSally was a lead sponsor of the



Sen. Kyrsten Sinema

Humane Cosmetics Act and led a letter to President Trump opposing the USDA’s purge of animal welfare inspection reports and other records.