

# HUMANE ACTIVIST

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## IN THIS ISSUE

### Falling Short

Constrictor snake rule omits key species

### Operation Turtle

Advocate works to prevent highway deaths

### The Poison Problem

HSLF urges humane alternatives to lethal predator control

## TIPPING POINT

**Puppy mills poised  
to come under  
tighter regulation**

Laura Flynn-Amato has spent the past six years crisscrossing Pennsylvania, rescuing unwanted dogs from puppy mills.

In that time, she has seen a steady stream of cruelty and neglect at these large-scale breeding operations: food soiled with feces and mold, frozen water bowls, puss oozing from infected ears, cages so tight the dogs couldn't stand up. Animals suffered from eye problems, matted hair, rotting teeth, sores between their toes from standing in wire cages, and holes in their foot pads from sitting in urine. In one particularly gruesome case, a dog's uterus hung out of her body.

CONTINUED ON PAGE 3



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## PRESIDENT'S LETTER



### 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](http://hslf.org).

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Dear Friends,

If you're an HSLF member, you recently received a copy of our *Humane Scorecard*, where you can track your federal lawmakers' performance last year on key animal protection issues. There's no perfect tool for measuring this, but it's critical that we create a fair and reasonable yardstick that allows citizens to hold lawmakers accountable. The HSUS and, in recent years, HSLF have been publishing the *Humane Scorecard* since the 103rd Congress (1993–1994), so this annual snapshot has been available for nearly two decades.

Additionally, it's important to measure the performance of the Obama administration since the federal regulatory agencies touch on so many critical animal welfare issues. The HSUS looked at the performance of those agencies in 2011 and assigned a subpar grade of C-minus. The administration had a wide range of opportunities to advance a constructive animal welfare agenda for the nation in 2011, but it was responsible for only a few noteworthy beneficial actions. It stalled, weakened, or exhibited indifference to some overdue reforms, and it even took some highly adverse actions against animal protection.

The positive actions included banning the use of double-decker trucks to transport horses to slaughter, advocating that Congress increase funding to enforce animal welfare laws, cracking down on soring abuses of Tennessee walking horses, and blocking the import of sport-hunted polar bear trophies. Though there's no proposed rule yet, the administration publicly committed to bringing Internet sellers of puppies under its authority; it also proposed a rule to implement a 2008 bill banning the import of puppies from foreign mills for commercial sale. And it made preliminary positive findings on petitions to list captive chimpanzees as an endangered species—which would restrict their use in research, TV and film, and the exotic pet trade—and to ban the slaughter of downer veal calves.

Conversely, a rule to ban the import of nine species of large constrictor snakes for the pet trade stalled in 2011, apparently as a result of pressure from the reptile industry; when it was finally released in early 2012, it had been substantially weakened, allowing the industry to continue to import and trade in five of these dangerous invasive species (see p. 5). The administration generally had a status quo approach to the management of wild horses and burros, subsidies to factory farms, lethal predator control by Wildlife Services (see p. 7), and the use of chimps in research—although a scientific report released in December by the National Academies has altered the trajectory of that issue for the better (see p. 8).

Perhaps more high-profile and far-reaching were the actions that could only be characterized as hostile to animals. The administration removed wolves from the list of federally protected species in the Northern Rockies and the Western Great Lakes, worked with the slaughterhouse industry to nullify California's downed animal protection law, and tried to allow the killing of sea lions in the Northwest.

HSLF will continue to monitor the federal government's performance on animal welfare. Visit [hslf.org](http://hslf.org) for more information on what you can do to help.

Sincerely,

Michael Markarian  
President

Humane Society Legislative Fund

*P.S. Missed the print version  
of the Humane Scorecard?  
Check it out at [hslf.org/scorecard](http://hslf.org/scorecard).*

“These dogs are suffering,” says Flynn-Amato, whose work was profiled in last year’s HBO documentary *Madonna of the Mills*. “No matter how you look at it, the mother is suffering, the father is suffering, and the puppies are suffering. And ... it all could be avoided. ... People just want to make the money.”

While rescuers like Flynn-Amato toil on the front lines of the puppy mill battle, HSLF and other groups have worked behind the scenes to change the laws and policies that have enabled the industry to flourish. After years of lobbying, lawsuits, and pressure on regulators, the federal government finally appears poised to respond.

As of early February, 197 representatives and 33 senators had cosponsored the HSLF-backed Puppy Uniform Protection and Safety Act. Currently, breeders who sell directly to the public—online or by other means—avoid any federal licensing, inspection, or regulation under the Animal Welfare Act, even though they often sell puppies across state lines; federal regulations extend only to those selling to brokers or pet stores for resale. The PUPS Act would establish oversight for anyone selling 50 or more puppies a year directly to consumers, while also requiring daily exercise for breeding dogs at all regulated facilities.

In addition to this legislative plan of action, HSLF has also formulated a regulatory strategy on the issue. More than 32,000 people last year signed an online petition—submitted by HSLF and other animal groups—asking the White House to address puppy mill cruelty. The Obama administration then announced in December that the U.S. Department of Agriculture’s Animal and Plant Health Inspection Service will publish a proposed rule in 2012 to cover commercial breeders selling directly to the public.

There have been other strides as well: The USDA finally proposed a rule last September to implement a 2008 law banning imports for



The promise of better federal regulations means millions of puppy mill dogs could soon see relief.

resale of puppies younger than 6 months. And despite a tough economic climate, HSLF has helped garner back-to-back funding increases so the agency can better police puppy mills.

“We have reached a tipping point on this issue,” says HSLF executive director Sara Amundson. “Whether through a federal rule or legislation, breeders who sell directly to the public—over the Internet or otherwise—will at last be covered by the USDA. We’ll get to the heart of what has become a burgeoning commercial industry on the backs of puppies and the people who love them.”

Amundson first began working on puppy mills in 1989, when a man contacted the Doris Day Animal League (HSLF’s predecessor) about the condition of several dogs he’d purchased from an ad in the back of a hunting magazine. Subsequent research revealed the Animal Welfare Act regulatory loophole, which at the time affected breeders selling to consumers via newspaper and magazine classifieds. In the ensuing years of Amundson’s work, more and more commercial breeders have taken their business online, compounding the loophole’s impact. Today, an estimated 10,000 puppy mills in the U.S. annually churn out 2 to

4 million puppies to sell via the Internet, classifieds, or pet stores. Only about a third of them are licensed by the USDA.

“Nobody wants to see these problematic dog dealers just making money on an inhumane practice,” says Rep. Sam Farr, D-Calif., a lead PUPS Act sponsor and a key figure in the push to secure additional enforcement funding. “...When you’re making a profit off animals, then you have a duty to practice the highest and best standards.”

Farr, who in the 1990s introduced puppy mill legislation in his home state, shared a bond with a dog at an early age. His childhood collie, Offie, followed him to school, accompanied him on Boy Scout camping trips, and showed up in Christmas card after Christmas card.

Another lead PUPS Act sponsor, Rep. Jim Gerlach, R-Pa., remembers attending a meeting where a puppy mill dog was present. Broken in the mill, the dog’s leg had been amputated after infection set in. Because the dog was constantly crying out in pain, his owner had also snipped his vocal chords.

“There’s not a shortage of those stories, not only in Pennsylvania, but across the country,” Gerlach says. “And those become the kinds of facts that generate the interest in so many legislators to deal with this.” He encourages citizens to ask their legislators to cosponsor the PUPS Act, and he reiterates the importance of continuing to work with the Obama administration “to see what can be done from a regulatory standpoint to also attack the issue.”

Gerlach adds: “There’s a couple avenues of continuing activity we can engage in during the second year of this Congress, and hopefully by the end of the year, there’ll be even more progress.”

**WHAT IT IS:** Puppy Uniform Protection and Safety Act (H.R. 835/S. 707)

**WHAT IT DOES:** Establishes licensing and inspection requirements for any breeder selling 50 or more puppies a year directly to consumers. Also establishes daily exercise requirements for dogs in regulated facilities.

**SPONSORS:** Reps. Gerlach, R-Pa.; Farr, D-Calif.; Young, R-Fla.; and Capps, D-Calif.; Sens. Durbin, D-Ill.; Vitter, R-La.

**HOW TO HELP:** Ask your U.S. representative and senators to cosponsor this important bill. To identify your lawmakers, call **202-676-2314** or visit [hsf.org/leglookup](http://hsf.org/leglookup).

**BILL  
BOX**

# 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 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](http://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 (if available) 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.

## ANIMALS IN RESEARCH



**BEST Practices Act**  
H.R. 1417

To prohibit the use of animals such as goats and pigs for training members of the Armed Forces in the treatment of combat injuries.  
Sponsor: Rep. Filner, D-Calif.

**Great Ape Protection and Cost Savings Act**  
H.R. 1513 / S. 810

To phase out the use of chimpanzees in invasive research, retire the approximately 500 federally owned chimpanzees to sanctuary, and codify the NIH ban on breeding chimpanzees for invasive research.  
Sponsors: Reps. Bartlett, R-Md.; Israel, D-N.Y.; Reichert, R-Wash.; Langevin, D-R.I.; Towns, D-N.Y. / Sens. Cantwell, D-Wash.; Collins, R-Maine; Sanders, I-Vt.

**Pet Safety and Protection Act**  
H.R. 2256

To prohibit the use in research of dogs and cats obtained through Class B dealers from random sources such as pet theft and free-to-good-home ads.  
Sponsors: Reps. Doyle, D-Pa.; Smith, R-N.J.

## EQUINE



**American Horse Slaughter Prevention Act**  
H.R. 2966 / S. 1176

To prohibit the knowing and intentional possession, shipment, transport, purchase, sale, delivery, or receipt of a horse for slaughter for human consumption.  
Sponsors: Reps. Burton, R-Ind.; Schakowsky, D-Ill. / Sens. Landrieu, D-La.; Graham, R-S.C.

**Horse Transportation Safety Act**  
S. 1281

To prohibit the interstate transportation of horses in a motor vehicle containing two or more levels, regardless of the destination.  
Sponsors: Sens. Kirk, R-Ill.; Lautenberg, D-N.J.

**Interstate Horseracing Improvement Act**  
H.R. 1733 / S. 886

To prohibit the use of performance-enhancing drugs in horse racing.  
Sponsors: Rep. Whitfield, R-Ky. / Sen. Udall, D-N.M.

## FARM ANIMALS



**Downed Animal and Food Safety Protection Act**  
H.R. 3704

To codify the USDA ban on the slaughter of downed cattle and strengthen it to cover downed calves and other species, and to ensure immediate humane euthanasia and application to livestock auctions and markets.  
Sponsors: Reps. Ackerman, D-N.Y.; King, R-N.Y.

**Egg Products Inspection Act Amendments**  
H.R. 3798

To provide for a uniform national standard for the housing and treatment of egg-laying hens, phased in over a period of 15–18 years, that will significantly improve animal welfare and provide a stable future for egg farmers.  
Sponsors: Reps. Schrader, D-Ore.; Gallegly, R-Calif.; Farr, D-Calif.; Denham, R-Calif.

## PETS AND CRUELTY



### **Animal Fighting Spectator Prohibition Act**

H.R. 2492 / S. 1947

To establish misdemeanor penalties for knowingly attending an organized animal fight and felony penalties for bringing a minor to such a fight.

Sponsors: Reps. Marino, R-Pa.; Sutton, D-Ohio / Sens. Blumenthal, D-Conn.; Kirk, R-Ill.; Cantwell, D-Wash.; Brown, R-Mass.

### **Puppy Uniform Protection and Safety Act**

H.R. 835 / S. 707

To establish licensing and inspection requirements for breeders who sell 50 or more puppies per year directly to consumers online or by other means, and to require that breeding dogs at commercial breeding facilities be allowed to exercise daily.

Sponsors: Reps. Gerlach, R-Pa.; Farr, D-Calif.; Young, R-Fla.; Capps, D-Calif. Sens. Durbin, D-Ill.; Vitter, R-La.

### **Veterans Dog Training Therapy Act**

H.R. 198

To create a pilot program for veterans to train dogs (including those from shelters) as a form of therapy for post-deployment mental health conditions.

Sponsor: Rep. Grimm, R-N.Y.

## WILDLIFE



### **Captive Primate Safety Act**

S. 1324

To prohibit interstate and foreign commerce in nonhuman primates for the pet trade.

Sponsors: Sens. Boxer, D-Calif.; Vitter, R-La.; Blumenthal, D-Conn.

### **Sportsmanship in Hunting Act**

H.R. 2210

To prohibit the interstate transport of nonnative mammals for “canned hunts” (the killing of animals in fenced areas smaller than 1,000 acres) and to ban remote-controlled hunting via the Internet.

Sponsors: Reps. Cohen, D-Tenn.; Sherman, D-Calif.

## Unfinished Business

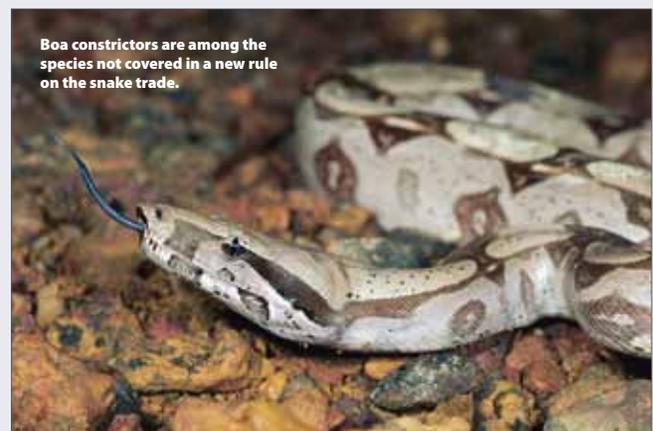
Interior secretary Ken Salazar stood in the Everglades in mid-January, hailing a new milestone for protecting the area. Others, though, would view the moment as a missed opportunity for the Obama administration.

Salazar was in Florida to announce that four nonnative species of giant constrictor snakes were being added to the Lacey Act, thus banning the import and interstate transport of the yellow anaconda, Northern African python, Southern African python, and Indian python (including the Burmese python). Some snakes are either captured in the wild and imported into the U.S.—with many killed or injured along the way—or bred in captivity; they are then sold online or at flea markets or swap meets. They may suffer neglect at the hands of ill-prepared owners—and some have been released into the wild when they grew too large, creating a public safety crisis and posing dangers to animals in the Everglades, where the snakes have few predators.

While a step in the right direction, the move—an apparent capitulation to the reptile industry—weakened an Interior Department proposal from two years earlier that called for banning nine species that scientists determined could become established and threaten the environment. HSLF president Michael Markarian says trade will likely now shift to the snakes not included in the ban, noting two

significant omissions: “Reticulated pythons have killed more U.S. citizens than any other constrictor snake, and boa constrictors were identified in a U.S. Geological Survey report as posing a high risk to natural resources.”

U.S. Fish and Wildlife Service director Dan Ashe has said the agency will continue to consider adding the other five species. Meanwhile, Markarian says HSLF will continue to back H.R. 511 (introduced by Rep. Tom Rooney, R-Fla.), which would ban the trade in all nine species.





A sailor inside a Norfolk, Va., naval base handed this turtle over a fence to Stephanie Downs, who ensured his safe return across a dangerous highway.

# The Turtle Protector

Advocate works with friends, Navy, and city to prevent highway deaths

**Stephanie Downs was driving home** one morning in June 2009 when a turtle suddenly came ricocheting from underneath the truck in front of her. In a blink, she was sure she had hit him too.

She turned around. She headed back. And thus began a new journey—one that would ultimately save hundreds of turtles from a similar fate.

First things first, though: Somehow, her turtle was still alive, popping his head out despite a smashed shell. Downs drove him to an emergency vet, who euthanized him. But the experience sparked questions: What exactly was that turtle—and others she'd seen—doing along that stretch of divided highway, sandwiched between Lake Whitehurst and a naval base in Norfolk, Va.? And if, as Downs first presumed, they were crossing the highway to lay eggs, why was she seeing them hit only along the naval base side?

Day after day, she returned to the site. She watched. She began to figure it out: The turtles were climbing out of the lake via a spillway and then swimming into a culvert, under the road, and into a creek on the naval base side. They were then crawling through holes in the Navy's fence and out onto the highway—where, even if they managed to cross two lanes, a concrete median blocked further progress back to the lake.

They didn't stand a chance—until Downs came along.

"Stephanie is an inspiration to us all," says HSUS wildlife scientist Stephanie Boyles, who along with her colleague, the late Susan Hagood, offered advice to Downs throughout the long months of "Operation Turtle."

"This problem, I think, has existed in that causeway for years. And it took

one person to say, 'I'm going to make a difference.' And she just never gave up."

Downs' first step: getting the Navy's approval to patch the fence and add foot-high silt material to block the turtles' view. She and her friends became a familiar sight walking the fence line, and eventually a group from the base even volunteered to look for turtles on their own daily patrols. With a laugh, Downs remembers one sailor telling her: "We've decided to form the Turtle Recovery Team because of course we had to come up with something that sounded tough."

The second phase came to fruition last spring, when Downs finally persuaded city officials to install a concrete ramp for turtles to climb up the spillway and back into the lake. Volunteers from Flint Marine Construction also submerged rock-filled baskets to help the animals climb out of the water. "What I learned, I think, was just: Refusing to take 'no' for an answer can get you far," she says. "... You know, just having a Plan B, a Plan C, a Plan D. Just keeping on it."

The goal for this spring and summer will be to learn just how much the turtles are using the new ramp. Downs has seen them a third of the way up, and she's been told they might be crossing at night—though verification could

be tricky: A turtle, walking uphill, might not be quite fast enough to set off a motion-sensor camera.

But clearly, Operation Turtle is working: Casualties have dropped from perhaps 150 each summer to about 20 over the last two years.

"If the world was full of people like Stephanie," Boyles says, "it would be a much better place for the animals."



Stephanie Downs installs fencing above the troublesome culvert on the naval base side of the highway. In addition to her work protecting turtles, she also cofounded the FIXIT Foundation to help battle the overpopulation of companion animals.

# Pushing Out Predator Poisons

HSLF encourages use of nonlethal alternatives

The USDA's Wildlife Services program kills more than 80,000 coyotes annually.

**Returning to her Texas home** one afternoon, Angel Walker found a note on her door instructing her not to touch the poisonous M-44 devices that had been placed nearby.

When animals sniff the bait, the spring-loaded devices fire sodium cyanide pellets into their mouths, where moisture turns the pellets into a lethal gas. The poison is used by the federal government to kill coyotes, wolves, and other predators as a de facto subsidy to ranchers and other special interests. But it can be tripped by any animal who walks by.

Walker immediately thought of her dog, Bella.

Anxious, she and her family and friends spent two days searching for the 1-year-old pit bull known for her sweet disposition. They encountered plenty of M-44s—placed to kill coyotes at the request of a county commissioner grazing cattle on nearby land—but no Bella. Finally, Walker found her dog's body near an M-44 less than 1,000 feet from her house. Bella had started bleeding from her nose and mouth, fallen to the ground, gone into convulsions, and died. "You could see [on] her poor little mouth ... the powdery yellow substance," Walker says. "That's all I remembered for a long time, imagining what she thought—'Oh my gosh, I've done something wrong'—and [how] she started towards home."

Bella and the Walker family are a few of the less obvious victims of the U.S. Department of Agriculture's incongruously named Wildlife Services program. At least a half dozen people have been sickened in recent years by sodium cyanide from M-44s, including pet owners, people walking on public lands, even a U.S. Fish and Wildlife Service agent. And an unknown number of pet dogs and nontargeted wild creatures have been killed by sodium cyanide and Compound 1080, a second highly restricted pesticide that Wildlife Services routinely uses.

In addition to being indiscriminate and inhumane, poisoning and the USDA's other killing methods—aerial gunning, snares, painful leghold traps—are conducted at disproportionate rates; the agency kills 80,000 coyotes annually, for example, though bad weather and disease pose a far greater threat to sheep. The killing is also ineffective; coyote populations rebound after a culling, resulting in a never-ending cycle of slaughter that costs taxpayers millions of dollars each year.

As a modest first step to reforming the agency's practices, HSLF is urging Congress

and the Obama administration to at least end the use of Compound 1080 and sodium cyanide for predator control. HSLF is also pushing for Wildlife Services to implement some of the nonlethal livestock protection methods developed by its research team but rarely deployed in the field.

Many ranchers have discovered their own ways of keeping sheep safe, using guard animals, noise and light devices, electrified fences, and closer supervision. In Montana, Richard Harjes and his wife, Katy, have benefited from the presence of five guard dogs, bred to bond

with sheep and fiercely defend them. The year before the dogs, they had lost 8 percent of their 500-animal herd—half from mountain lions, half from coyotes. But with the dogs in place, their losses dropped to just 1 percent within two years.

"You create this standoff with dogs—the dogs are constantly peeing on things ... and walking the fences," says Harjes. Someday, he says, he may have to kill a coyote to protect his sheep, but it will be as a last resort. "If we lose 1 or 2 percent," he says, "that's the cost of doing business."



Bella



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ADDRESS SERVICE REQUESTED

## [ AYES & NAYS ]

✔ Concluding a seven-month study, the **Institute of Medicine of the National Academies** reported in December that advances in alternative research and testing methods have made “most current use of chimpanzees for biomedical research ... unnecessary;” a finding that may speed the end of these primates suffering in laboratories. The report does not call for a ban on chimpanzee research, but it does recommend that such studies be undertaken only under a strict set of principles and criteria. The **National Institutes of Health**, which commissioned the report, accepted the recommendations and immediately suspended new funding for chimp research. A working group will also be created to evaluate current and future projects as well as the disposition of NIH-owned chimpanzees.

✘ In December, the **Pennsylvania legislature** sent back to committee a measure that would have finally ended live pigeon shoots in the state. Introduced and championed by state Rep. John Maher, the amendment to S.B. 71 would have marked the culmination of a two-decade struggle to ban the inhumane activity, which consists of mechanically launching live pigeons from boxes while shooters blast away at them from short distances, killing and wounding thousands. The **National Rifle Association** defended the shoots as a long-standing tradition and threatened to withdraw endorsement from any lawmaker who supported it. Pennsylvania is the only state in the nation where pigeon shoots are still openly practiced despite the opinion of the state’s Game Commission—and most hunters—that it is not fair-chase hunting.



✔ Illinois state comptroller **Judy Baar Topinka** is saving lives as well as money. Her **Comptroller’s Critters** program gives shelters and rescue groups in the state space on her departmental website to feature adoptable pets. “I’m always out there for the underdog, and in this case it *is* the underdog,” Topinka said in a radio interview. The program has helped find homes for more than 300 pets since going live in July, saving the public the cost of sheltering the animals. Topinka ran a similar program when she was state treasurer, facilitating the adoption of nearly 500 cats and dogs.

✘ Starting last fall, A&E (which seems to have forgotten the “arts” in its name) has offered up **American Hoggers** and **Lady Hoggers**, which follow the exploits of hog hunters in Texas and Florida. The cameras watch unblinkingly as the hoggers release packs of hunting dogs to run down and sink their teeth into their prey. The hogs are then tied up, thrown in a truck, and hauled away to be slaughtered off camera. In another scene, a lady hogger whips out a folding knife and castrates an unsedated boar. That’s entertainment?

FROM LEFT: DARREN BENNETT/ANIMALS; SUZ ESZTERHASZ/MINDEN PICTURES