



WRITTEN STATEMENT

House Appropriations Subcommittee on Interior, Environment, and Related Agencies Fiscal Year 2015

**Submitted by: Nancy Perry, Senior Vice President, Government Relations
American Society for the Prevention of Cruelty to Animals
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On behalf of our 2.5 million supporters, The American Society for the Prevention of Cruelty to Animals (ASPCA) appreciates this opportunity to submit testimony to the House Appropriations Subcommittee on Interior, Environment and Related Agencies. Founded in 1866, the ASPCA is the first humane organization established in the Americas and serves as the nation's leading voice for animal welfare. The ASPCA's mission is to provide effective means for the prevention of cruelty to animals throughout the United States; for this reason, we request that the Subcommittee consider the following concerns when making FY2015 appropriations.

Wild Horses and the BLM

In the forty years since the Bureau of Land Management (BLM) was first charged with protecting our country's wild horses and burros, Americans have witnessed the agency's Wild Horse and Burro Program deteriorate into a continuous cycle of roundups and removals with little regard for the preservation-focused mandate specified in the Wild Free-Roaming Horses and Burros Act (the Act). Our wild horses and burros should be revered as historical icons, treated humanely, and managed fairly and respectfully on our public lands. We appreciate BLM's recognition of the great need for reform in the Wild Horse and Burro Program. We are encouraged by BLM's interest in incorporating the use of on-the-range management methods, such as immunocontraception, and in identifying alternatives to the confinement of wild horses in long-term holding facilities. However, the implementation of additional significant reforms must be immediate and effective.

Prohibit BLM funding for euthanasia or sale of wild horses as management methods

In December 2004, Congress passed the Consolidated Appropriations Act for Fiscal Year 2005, which amended the Wild Free-Roaming Horses and Burros Act to allow for the sale of certain wild horses and burros. This instant transfer of title from the U.S. government to the individual purchaser revokes the animal's status as a protected equine and leaves mustangs vulnerable to the still-thriving horse slaughter industry. Additionally, in 2008, BLM publicly announced that, for the first time, it was considering using its statutory authority to destroy old, sick, or unadoptable wild horses and burros by implementing mass euthanasia as a population control method. The public uproar that followed forced BLM to quickly withdraw the proposal. However, both the sale provision and the language allowing for the destruction of wild horses and burros remain in the law.

In September 2012, published reports revealed that since 2009, the BLM had sold more than 1,700 captured mustangs – 70% of the total number of animals sold since the program's onset – to a single Colorado livestock hauler known to be a longtime kill buyer for the horse slaughter

industry.¹ Although the BLM has implemented measures to prevent the sale of such a large number of horses to one individual, Congress must send a clear message that the slaughter of our nation's wild horses and burros is a gross violation of the Wild Free-Roaming Horses and Burros Act. Congress has repeatedly confirmed in past appropriations bills its opposition to the slaughter of our nation's wild horses and burros, and did so again in the Consolidated Appropriations Act for 2014, the current funding vehicle for the Department of Interior. The President's FY2015 budget request includes an administrative provision to bar appropriations for the euthanasia of healthy horses and their sale to slaughter. **The ASPCA requests that the Subcommittee continue to include the following language, present in both the President's budget request and previous appropriations bills: "Appropriations herein made shall not be available for the destruction of healthy, unadopted, wild horses and burros in the care of the Bureau or its contractors or for the sale of wild horses and burros that results in their destruction for processing into commercial products."**

Ensure that removals do not exceed adoption demand

The majority of BLM's budget is spent caring for wild horses in long-term holding facilities. The budget requested for BLM's Wild Horse and Burro Program has necessarily increased each fiscal year, as has the portion of the budget that funds the care of wild horses in long-term holding facilities. Instead of these horses being allowed to remain in their natural habitats as part of their established herds, their family structures have been disrupted and they have been removed to fenced facilities where taxpayer dollars go for their care. There are now at least as many wild horses in holding facilities as in the wild. Without substantial change in management techniques, that number will only increase, as will the waste of more taxpayer dollars. The ASPCA believes wild horses belong in their natural habitats and should not be subjected to the terror and stress of removal and confinement with no hope of return to the range or adoption.

Annual adoption rates have varied between 3,000 and 4,000 horses since 2008. During the same period, BLM has rounded up and removed approximately 7,800 horses annually – several thousand above the adoption demand – thereby guaranteeing that most of those animals will spend the rest of their lives in taxpayer-funded holding facilities. Warehousing horses in holding facilities does nothing to manage the on-range populations; it merely delays the inevitable need for more preventative management. This cycle must be broken. **The ASPCA encourages BLM to limit the number of horses removed from the range to the number that matches the current adoption rate.**

Prioritize on-the-range management over roundup and removal

The Wild Free-Roaming Horses and Burros Act makes clear that on-the-range management should be preferred over roundup and removal as the primary method of wild horse management. BLM has multiple options to make that happen.

¹ "All the Missing Horses: What Happened to the Wild Horses Tom Davis Bought From the Gov't?" ProPublica: September 28, 2012.

The ASPCA realizes that population control is necessary in some circumstances, and we appreciate BLM's public acknowledgement that fertility control methods must be a significant part of wild horse population management. Porcine Zona Pellucida (PZP), the contraceptive vaccine that has been used for decades to manage horse and deer populations, was recently registered by EPA and is now commercially available. In the past, BLM has capped its goal for vaccinating horses at 2,000 horses per year. If PZP is to be a serious part of the solution, its use must be increased to levels that will significantly impact population growth. A 2013 National Academy of Sciences report noted the promising capabilities of this and other forms of chemical fertility control.² **The ASPCA recommends that the Subcommittee direct BLM to prioritize the use of humane, reversible fertility control when necessary to stem the population growth of wild horse or burro herds.**

In addition to escalating its use of immunocontraception, BLM must also reconsider Herd Management Areas (HMAs) that have been zeroed out as wild horse and burro habitat and make them available for reintroduction. More than 20 million acres of HMAs originally designated as wild horse and burro habitat have been zeroed out and horses have been removed and placed in holding facilities. This 40-year pattern has resulted in American taxpayers paying more each year for the cost of privatized care when millions of acres of habitat are available. **The ASPCA recommends that the Subcommittee direct BLM to reestablish zeroed out HMAs as viable wild horse and burro habitat wherever possible.**

Require humane and transparent roundup operations

Observers have witnessed horses suffering and dying due to brutal roundup practices. Foals have been run over such extreme distances that they lost their hooves, and mares have been driven to the point of physical exhaustion. BLM recognizes a need to reform its roundup protocol. The ASPCA applauds this acknowledgement and asks that the Subcommittee encourage BLM to expedite its development of Standard Operating Procedures for roundups that incorporate animal welfare standards. No roundups for removal or any other purposes should occur unless procedures are in place to ensure that incidents like these are never repeated. Public investment in this management program demands that no horse or burro suffers in the hands of BLM agents or contractors. We also urge the Subcommittee to designate funds for researching and developing protocols that take into consideration the impact of separating family groups of wild horses during removals. To improve visibility and accountability of roundup operations, we urge the Subcommittee to designate funds for the installation of video cameras on helicopters and at trap and holding sites. **The ASPCA requests that, when roundups are necessary, the Subcommittee charge BLM with establishing humane and transparent standards and procedures for those operations.**

Wild Horses on the Sheldon Wildlife Refuge

The Sheldon National Wildlife Refuge, operated by the U.S. Fish and Wildlife Service (FWS), is located in northwestern Nevada on the Oregon border. In September 2012, the Refuge adopted a

² "Using Science to Improve the BLM Wild Horse and Burro Program: A Way Forward." National Research Council. The National Academies Press, 2013.

Comprehensive Conservation Plan calling for the elimination of wild horses and burros from refuge lands within five years. Because they live on FWS and not Bureau of Land Management (BLM) or Forest Service lands, the Sheldon Refuge horses are not protected by the Wild Free-Roaming Horses and Burros Act. In August 2013, the Refuge announced that it would remove the estimated 800 wild horses and 90 burros remaining on the Refuge over two years instead of the original five-year window. In September 2013, FWS rounded up and removed 415 horses from the Refuge. A second roundup to remove the remaining horses is planned for fall 2014.

While FWS professes its desire that all horses go to quality homes and not to slaughter, it is unnecessarily challenging for the horse adoption market to absorb this many wild horses in such a short a time.

Unfortunately, FWS is not taking the proper precautions required to ensure that the Sheldon horses do not end up at the slaughterhouse. In fact, FWS has already paid one particular “adoption contractor” nearly \$1 million to take hundreds of Sheldon horses, and the agency cannot confirm the whereabouts of a single one of those horses. Without this confirmation, via visual inspection of horses and microchip numbers, it is extremely likely these horses could be shipped across the border for slaughter in Canada or Mexico. The stringent oversight needed to monitor the removal of the wild horses in the Sheldon National Wildlife Refuge may be beyond the purview of this Subcommittee. However, the Subcommittee can take steps to ensure that federal tax dollars are not being used to facilitate the slaughter of these horses. **The ASPCA requests that payment of adoption contractors for the wild horses on the Sheldon National Wildlife Refuge be prohibited until FWS can confirm the appropriate placement of horses with adopters. Additionally, we ask the Subcommittee to direct FWS to use the full five-year window for the removal of horses and implement the same adoption standards used for the BLM wild horse adoption program.**

Delisting of the Gray Wolf

The ASPCA supports the development of wildlife policies that promote the protection of endangered species and habitat and which are based on sound science. We believe that U.S. Fish and Wildlife Service’s (FWS) proposal to delist wolves from the protections of the Endangered Species Act does not take into account the best science available or consider the unique perils that humans continue to pose to the welfare of wolves. A recent independent scientific review released by the National Center for Ecological Analysis and Synthesis (NCEAS) reiterated that FWS’s proposal fails under scientific scrutiny.³

Beyond its role as a living symbol of our natural landscape, the wolf is a keystone species. Its presence is critical to maintaining the structure and integrity of native ecosystems. Federal protections for wolves are essential to help this species recover and expand into still-viable parts of its former range, just as the bald eagle was allowed to do before its federal protections were removed. **The ASPCA requests that the Subcommittee direct FWS to ensure that decisions regarding the management of endangered animals such as the Gray Wolf be based on the best welfare of the animal as well as sound science.**

³ “Review of Proposed Rule Regarding Status of the Wolf Under the Endangered Species Act.” National Center for Ecological Analysis and Synthesis. January 2014.