



Animal Welfare Institute

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Animal Welfare Provisions in HR 3055

The Commerce, Justice, Science, Agriculture, Rural Development, Food and Drug Administration, Interior, Environment, Military Construction, Veterans Affairs, Transportation, and Housing and Urban Development Appropriations Act, 2020

Commerce

Right Whales

The bill provides increased funds to the National Oceanic and Atmospheric Administration (NOAA) for research and monitoring of the North Atlantic right whale. This increased funding will provide essential opportunities for new recovery efforts for this critically endangered species.

The House of Representatives took additional action to protect the North Atlantic right whale in its appropriations bill by defeating an amendment by Representatives Jared Golden (D) and Chellie Pingree (D) of Maine by a bipartisan vote of 345 to 84. This amendment would have prohibited the National Marine Fisheries Services (NMFS) from acting on science-based consensus recommendations to implement new protections for right whales from fishing gear entanglements and ship strikes.

Prescott Grants

The John H. Prescott Marine Mammal Rescue Assistance Grant Program awards competitive grants to organizations that provide direct care by rescuing and rehabilitating sick and injured marine mammals, as well to organizations that investigate marine mammal stranding events. Even though the Trump administration once again requested zero funding for this grant program, the House of Representatives maintained funding from previous years.

Marine Mammal Commission

The House rejected the administration's request for funding to eliminate the Marine Mammal Commission (MMC), which oversees the implementation of the Marine Mammal Protection Act and provides oversight of all federal and international policy and management actions affecting marine mammals. The House instead increased funding for the MMC so that it may carry out its critical work.

Seafood Fraud (IUU)/ Office of Law Enforcement

In order to track and prevent illegal, unreported, and unregulated fishing, the House has provided robust funding to NOAA's Office of Law Enforcement. These additional funds are essential to ensure proper surveillance and enforcement of US fisheries laws.

Seismic Testing Prohibition

The bill includes a provision from Representative Joe Cunningham (D-SC) prohibiting NOAA from issuing any permits for seismic testing off the Atlantic coast. Seismic testing is a precursor to offshore oil and gas exploration and is conducted by air guns that release loud pressurized blasts of air through the ocean. These deafening blasts disturb and injure marine mammals, many of whom are critically endangered.

Sea Turtles

Crucial safeguards to maintain sea turtle conservation efforts are provided. NMFS is directed to continue funding research into methods to reduce sea turtle bycatch and to continue its sea turtle stranding and rehabilitation programs until suitable nongovernmental partners are found to take over this work. This directive is a result of an announcement from the agency in 2018 that it would no longer fund the Galveston Sea Turtle Facility, where this vital work is done.

Agriculture

Animal Care

The report expresses Congress's concern over the state of the USDA's Animal Care program. It calls attention to the USDA's efforts to avoid documenting Animal Welfare Act (AWA) and Horse Protection Act (HPA) noncompliance and it "directs Animal Care to immediately require all its inspectors to cite every observed violation at any visit to a regulated entity." Moreover, the House directs Animal Care's parent agency, the Animal and Plant Health Inspection Service, to restore the searchable database and inspection/enforcement documents that have been missing since January 30, 2017, and to make publicly available on the searchable database all future AWA and HPA inspection and enforcement records.

Funding for HPA enforcement would be increased to \$1 million. AWI's expectation is that this will facilitate better coverage by the USDA at shows to prevent the cruel soring of Tennessee Walking horses and other show breeds.

[AWI has been deeply disappointed in the backsliding that has occurred within Animal Care](#) and is grateful that Congress is aware of, and is taking steps to address, the many shortcomings in AWA and HPA enforcement since 2017.

Horse Slaughter

Language preventing horse slaughter facilities from opening and operating in the United States is also included.

Wildlife Services

HR 3055 provides additional funding to Wildlife Services for the purpose of hiring personnel "exclusively to 1) promote and implement nonlethal livestock-predator conflict deterrence techniques in selected states; and 2) assist in providing training in these techniques to agricultural producers, landowners, and other agency personnel." While the House acknowledges that Wildlife Services has worked with landowners to use such nonlethal strategies as fladry and guardian dogs, it is also true that the program still depends on a variety of lethal methods, including the highly dangerous and indiscriminate poisons sodium cyanide (in M-44 devices) and sodium fluoroacetate (Compound 1080 in livestock collars). Wildlife Services should use this additional funding to replace these poisons with more effective, less costly nonlethal alternatives.

Livestock Indemnity Program

The House bill encourages the USDA to work with producers on voluntary disaster plans in order to prevent livestock deaths and injuries. With natural disasters and extreme weather events becoming more frequent, it is encouraging that the House of Representatives sees the importance in having a disaster management plan in place in order to protect the lives of farm animals.

Protecting Animals With Shelter

The Protecting Animals With Shelter (PAWS) grant program was allotted \$2 million in appropriations (out of \$3 million authorized by the Farm Bill). The report language directs the Secretary of Agriculture to immediately begin consultations with the Departments of Justice, Housing and Urban Development (HUD), and Health and Human Services (HHS) and enter into agreements to get grant requirements established in FY2020, as directed by Section 12502 of the 2018 Farm Bill. (It should also be noted that similar language is included in the reports accompanying the HUD and HHS appropriations bills.) The purpose of this program is to provide assistance with emergency and transitional housing for domestic violence survivors with companion animals.

Animals in Research

The report commends the Food and Drug Administration (FDA) on its efforts to reduce the use of nonhuman primates in research and to retire them to sanctuaries. It directs the FDA to provide Congress with a report on its strategy for (1) reducing the use of nonhuman primates in FDA intramural research and testing, (2) replacing them with nonanimal alternatives, and (3) relocating nonhuman primates to sanctuaries.

The licensing of Class B dealers who sell dogs and cats for use in research is also prohibited.

Interior

Horses

The House opted to write key protections for horses directly into the base Interior appropriations bill – namely, strong language blocking the commercial destruction of all wild horses under the Bureau of Land Management’s authority. For the first time, such protections were also extended to wild horses under the US Forest Service’s jurisdiction—a critical victory given that the agency has been [attempting to sell wild horses](#) without restrictions on slaughter.

Trapping

HR 3055 included several notable victories for wildlife. Thanks to the efforts of Representatives Nita Lowey (D-NY) and Betty McCollum (D-MN), chairs of the Appropriations Committee and Interior-Environment Appropriations Subcommittee, respectively, the report language includes important directives to agencies about trapping and species conservation. The report requires the US Fish and Wildlife Service (USFWS) to continue posting physical and online signage for any National Wildlife Refuge where body-gripping traps are allowed, and to deliver an annual report on refuge trapping statistics and why nonlethal control methods are not used instead for refuge management purposes.

Endangered Species

The report language emphasizes the need for Endangered Species Act listing decisions to be based on science, not politics, highlighting the gray wolf as an example of a species of concern. The USFWS is directed to ensure that state management plans include adequate protections and enforcement mechanisms for any species it proposes to delist, which are critical considerations as the agency moves to delist gray wolves across the contiguous 48 states.

Trophy Hunting

Representatives Vern Buchanan (R-FL), Jared Huffman (D-CA), Earl Blumenauer (D-OR), and Ted Lieu (D-CA) offered an amendment to prohibit funds from going toward import permits for elephant and lion trophies from Tanzania, Zimbabwe, and Zambia. This amendment addresses recent unscientific and anti-conservation policies enacted by the USFWS. It passed by a vote of 239–192.