

PETA Tries To Block Mercy Killings While Killing “Rescued” Animals

The Montgomery (MD) Journal reported that PETA (People for the Ethical Treatment of Animals) had euthanized 32 rabbits and roosters it had rescued from supposedly inhumane conditions and in its same-day editions also reported how PETA was petitioning the US Supreme Court to prevent the euthanasia of two Silver Spring monkeys whose physical conditions had deteriorated to where they were in constant pain and suffering.

Ingrid Newkirk, PETA’s executive director, was quoted as saying that killing animals for reasons considered to be merciful in consistent with the animal rights philosophy. If the rabbits had not been killed they would have been “slaughtered for meat,” experimented upon in laboratories, or “stuck in a hutch” and bred. “Euthanasia beats the socks off of those options in my mind.”

It also was reported that she saw no inconsistency between PETA’s opposition to the euthanasia of the Silver Spring monkeys and its own euthanasia of the rabbits and roosters.

The reason given for the killing of the 32 rescued animals was that there was not enough room for them at the organization’s three-acre animal sanctuary near Silver Spring, MD.

Peter J. Gerone, director of the Delta Regional Primate Center where the remaining Silver Spring monkeys are housed, accused PETA of a double standard, adding: “With the \$10 million that they (PETA) brought in last year in revenue, they couldn’t build some hutches for some rabbits to keep them alive?”

PETA rescued the rabbits from an intermediate school animal husbandry project in Montgomery County, MD, because of alleged charges that the animals were kept in small cages and were not properly fed. The roosters were taken from a home where they allegedly were used in Satanic cult rituals.

More States Enact Break-in Legislation; Congress, Other States Considering Same

Six state general assemblies have enacted research facility protection laws this year and seven other states and the US Congress are considering similar legislative initiatives.

The six states enacting facility protection laws are Arkansas, Montana, North Dakota, Oklahoma, Texas, and Washington, bringing to a total of 18 the number of states having laws on their books protecting research facilities from break-in, theft, and vandalism by animal activists. The seven states considering such legislation are Iowa, Nebraska, New York, North Carolina, Pennsylvania, Rhode Island, and Wisconsin.

In the Congress two bills are under consideration and a third facility protection bill is expected to be introduced this summer.

Sen. Howell Heflin (D-AL) introduced S.544, “The Animal Research Facility Protection Act of 1991,” which would make it a federal offense to break into a research facility or to steal, destroy, or make unauthorized use of research animals, equipment, or data. The bill is identical to the legislation Heflin sponsored in the previous Congress. Although that bill received unanimous approval by the Senate, it failed to be heard by the House.

Rep. Henry Waxman (D-CA) is sponsoring legislation as an amendment to H.R.1532, the “National Institutes of Health Revitalization Amendments of 1991,” which is the reauthorization bill for NIH programs. Waxman’s proposal,

APS Played An Early Role In Promoting Break-in Laws

similar in scope to Heflin’s bill, is limited, however, to protecting only those animal facilities receiving funding from the Public Health Service. The bill also is identical to the legislation Waxman introduced in the last Congress, which never was reported out of committee.

A third bill, to be sponsored by Rep. Charles Stenholm (D-TX), is to be introduced sometime this summer. The bill is expected to be similar to the legislation he sponsored in the last Congress, which had majority support in the House but died when it became sidetracked by committee rules at the close of the 101st Congress.

All of the bills – state and federal – were initiated by the legislative bodies because of raids by animal activists on several dozen of the nation’s research facilities, costing taxpayers millions of dollars to replace damaged facilities and equipment, stolen animals, and to restart research projects.

In addition to the five states enacting legislation so far this year, the other states to pass such laws since the summer of 1988 are Arizona, Georgia, Idaho, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Minnesota, and Utah.

Of the recently approved state laws Montana enacted one of the toughest penalty codes in the nation with fines ranging from 1500 to \$50,000, prison terms up to 10 years, and granting to the victims the right to seek payment from the guilty party of up to three times all actual and consequential damages. The North

Dakota law also permits the victim to seek payment from the guilty party of up to three times actual and consequential damages plus court costs.

The Arkansas law penalty requires the guilty party to make full restitution to the facility for the cost to replace materials, data, equipment, animals, and records along with the costs for repeating any research that was interrupted or invalidated.

W. M. Samuels

APS Initiated Push for Break-in Laws

With half of the 50 states having either passed or actively considering research facility protection legislation plus both houses of Congress considering a national law to protect animal research laboratories, it has become evident that society has made the statement that it no longer tolerates vandalism by animal activists.

Legislative initiatives on any issue are the result of constituent pressures, and the swing within the past 36 months toward enacting facility protection laws is evidence that voters from the grassroots districts have spoken in a clear voice to their elected members in the general assemblies and in Congress.

Not only have 17 states enacted facility protection acts (plus eight states where such bills are pending), but Congress last year came within a whisker of enacting a national break-in bill, losing the race with the clock at the time of adjournment.

The seeds for a national law making break-ins at research institutions a federal offense were planted by APS in 1984 in testimony before a House subcommittee.

Testifying at the hearing on the "Improved Standards for Laboratory Animals Act," a bill that would amend the Animal Welfare Act, APS President **Walter Randall** told the House Agriculture Subcommittee on Department Operations, Research, and Foreign Agriculture:

"The Society would like to offer to the Subcommittee an amendment to the Animal Welfare Act which was proposed at the annual meeting of the (APS) membership last month and has been unanimously endorsed by the Society's governing board.

"The basis for this proposed amendment is the recent criminal events at more than a dozen federally supported research institutions where laboratories were trashed, equipment vandalized, research data destroyed, and animals stolen. Such actions have caused the loss of untold millions of federal dollars and a waste of incalculable numbers of scientific man hours of work. Each of the projects which were interrupted by such actions will have to be re-started with the expense being borne by the federal government. It is especially ironic that these actions also double the animal usage for the research.

"The Society urges the Congress to add a provision to the Animal Welfare Act authorizing federal prosecution of those persons involved either directly or indirectly in the interference with federally funded research by the destruction and/or theft or equipment, animals, or data materials as well as the prosecution of those persons who obtain such stolen equipment, animals, or data materials.

"Those who are convicted of such offenses should be held liable for both punitive damages and the cost of replacing materials, data, equipment, animals, or records which may have been damaged or cannot be returned as well as the

Meanwhile, the Supreme Court denied by an 8-0 vote PETA's petition to prohibit the euthanasia of the two Silver Spring monkeys. The monkeys—Titus and Allen—were placed under deep anesthesia and electrophysiological measurements were made from a small area near the brain surface just before death. It is expected that this brain mapping will yield information about the reorganization of brain function following long-term deafferentation, which may lead to improved rehabilitation therapy for victims of stroke or spinal cord injuries.

In the Congress, Rep. Vin Weber (R-MN) said, "If mercy killing is truly consistent with the animal rights



W. C. Randall

philosophy, why the fanatical opposition to the killing of the Silver Spring monkeys for the very same reason?

"For 10 years PETA has forced the government to spend millions to keep these monkeys alive and is now tying up the Supreme Court to protect them. Could it be that the monkeys are too valuable of a fund raising tool for PETA to give up? I have always questioned the movement's sincerity. This recent behavior shows that their only concern is their own radical agenda, not the animals they supposedly defend."

Weber is the founder of the House Animal Welfare Caucus.

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cost for repeating the experiments that have been interrupted or invalidated.

"Most federally supported research institutions are looking to the Congress to provide the support needed to halt the increasing number of incidents of attack that go beyond the limits of civil demonstrations. The scientific community will work closely with the Congress to develop adequate provisions that would stem this unnecessary burden for the researchers and this inexcusable waste of monies the Congress appropriates for biomedical research and the loss of animal lives."

The APS proposal was endorsed by both the Association of American Medical Colleges and the National Society for Medical Research and was berated by the animal welfare organizations.

The following year Rep. George E. Brown, Jr., (D-CA) introduced a break-in bill patterned after the APS proposal after the Animal Liberation Front had raided and caused major destruction to a large university research facility in Brown's home district. Although the bill was never brought to the floor of the House, there also were no further raids on research laboratories until a few days after that Congress had adjourned 19 months later.

As the raids continued states began to take action, with Massachusetts in the summer of 1988 being the first state to enact legislation specifically aimed at protecting animal research facilities from raids by animal activists. Since then 16 other states have enacted similar legislation.

APS Tells Senate, House Committees of Funding Needs for Physiologists

The American Physiological Society told two Congressional appropriations panels that more funding should be spent on training scientists who can perform integrative studies on intact organisms and that funding of investigator-initiated research grants should be funded at a 30 percent level in fiscal year 1992.

Martin Frank, APS executive director, testified before both the Senate and House Appropriations Subcommittees on Labor, Health and Human Services, Education, and Related Agencies during public hearings on next year's funding levels for the National Institutes of Health and the Alcohol, Drug Abuse, and Mental Health Administration.

"As more and more is being learned about molecular details of cellular elements, it becomes increasingly clear that such information needs to be integrated into cellular, tissue, and organ functions," Frank said. "Universities and pharmaceutical companies are unable to find adequate numbers of scientists trained to perform integrative

studies on intact organisms. Without physiologists, pathologists, and clinical investigators the new molecules discovered by the molecular biologist cannot be related to overall body functions.

"It is, therefore, imperative that training programs be included in the appropriations bill to develop the pool of investigators who can translate discoveries at the molecular level to cellular and organ physiology and into clinical application."

Frank also urged the Congress to take appropriate action this year to assure that investigator-initiated research project grants are expanded by funding at least 30 percent of the eligible applications in each of the next five years.

For fiscal year 1992 the 30 percent funding mark would provide 6,143 new awards. The administration had set an award mark at 5,785.

Copies of the APS testimony are available from the APS National Office.

AAMC Survey Reveals Costs of Animal Activities In US

All 126 medical schools responded to an Association of American Medical Colleges (AAMC) survey designed to assess the cost of activities of animal activists, the frequency and types of harassments aimed at faculty and staff, and the degree to which educational programs for medical students have been affected over the past five years.

Seventy-six schools reported damages or other losses totaling in excess of \$2.2 million as a direct result of demonstrations, break-ins, vandalism, and other disruptive incidents. Activist-precipitated construction delays and installation of security systems have cost schools another \$6.8 million.

The schools estimated that current annual ongoing expenses approach \$17.5 million to meet security needs, increased costs in the purchase of animals, and compliance with new animal care regulations.

A wide variety of harassments of faculty and staff, ranging from bomb and death threats to picketing family homes, were cited. Approximately 3,800 cases of harassment were reported during the five-year period.

Contrary to claims by animal activists that most medical schools no longer use live animals in education, the survey disclosed that 92 schools still use live animals in instruction. This is about the same number of schools that reported using live animals in the 1985 AAMC survey. Of the schools reporting the use of live animals for instruction, 61 said that alternative exercises are available for those students who object. About 95 percent of all medical students participate in instructional programs in which live animals are used, according to the survey.