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Ranking Member Energy & Commerce
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Washington, D.C. 20515

Rep. Frank Pallone
Chair Energy & Commerce
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RE: Saving America's Forgotten Equines (SAFE Act, HR3355)

To Energy and Commerce Committee,

The following organizations have united with Advocates for Wild Equines National Grassroots Coalition throughout this congressional term, to encourage the 117th Congress to pass the SAFE Act to finally bring an end to the inhumane slaughter of our cherished American equines: Love Wild Horses 501c3, In Defense of Animals 501c3, Animal Wellness Action, and Center for a Humane Economy. Our collective members exceed 10 million voting constituents. In this letter we would like to address the concerns that blocked the SAFE Act from being passed. This letter will address the following concerns brought to your attention:

- 1) Slaughter is a humane practice.
- 2) AAEP and AVMA letters of supporting veterinarians.
- 3) Tribal concerns, beliefs and range management.
- 4) Where will they all go, available resources, etc.
- 5) When horses do cross the borders, how do we identify shipping purpose.

I. IS SLAUGHTER A HUMANE PRACTICE

- A.** According to the USDA's own investigation of horse slaughter plants, in 2007, there were rampant violations of cruelty. Horses are skittish and are fight or flight animals. Horses often endure repeated blows to the head, remain conscious during dismemberment and it is rarely a quick and painless death. The USDA documented violations in the slaughter pipeline with severe injuries including protruding bones, eyeballs hanging by a thread, and gaping wounds.
- B.** This investigation by the USDA is reiterated here, by a transcribed interview of a "kill buyer," by an investigator, under polygraph. From transcribed interview 1:

“no cover on the pens. It could be 110 degrees and then horses that stand in the sun in that corral. They didn't have no shade. Cripple horses, standing there with open wounds in that mud like that, urine and all. These horses will, they could be dragging a leg and just racked with pain and it's so bad that they couldn't hardly hold their head up. And they'd be whipped up the ramp into the truck to stand there to be shipped. I think I added the miles up the other day. I think it's 1675, just under 1700 miles. A nonstop, no stop for drink, no stop for food. One falls down, he gets hot shotted until he gets up. If he can't get up, he spends a trip laid down, underneath them other horses. And the bad thing about that, you got one down, he's kicking for his life, he's going to knock another one down and you end up with a domino effect. Crippled horses everywhere. The truck just keeps rolling.”

“this one horse, the bottom of his jaw was broken and his teeth, this whole jaw was hanging down and just swaying. This dude was in some pain. Opened the gate, kicked him out into the pins or at Woodburn and they held him, no medical attention or nothing. But there's a million of those stories.”

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- C. Dr. Nicholas H. Dodman, BVMS, MRCVS Professor, Section Head and Program Director of the Animal Behavior Department of Clinical Sciences at Tuft's Cummings School of Veterinary Medicine testified before Congress in 2008. He stated the following:

“One need only observe horse slaughter to see that it is a far cry from genuine humane euthanasia. From the transport of horses on inappropriate conveyances for long periods of time without food, water or rest - to the very ugly slaughter process in which horses react with pain and fear, no evidence exists to support the claim that horse slaughter is a form of humane euthanasia. Rather, it is a brutal process that results in very tangible and easily observable equine suffering.” (Exhibit 2: [VEt list dr Dodman on slaughter \(1\)](#))

- D. In further veterinary testimony, Dr. Maureen Harper, a veterinarian for the Canadian government, witnessed live horses, mostly American horses, shipping live to slaughter to Japan, packed body to body, in wooden crates, not big enough for a horses to move, lay down, without food and water. If the horses go down from exhaustion or dehydration, they are not able to get up, and can be trampled and injured, stomped to death, or unable to get up and die from colic (which is a painful and slow death, (Exhibit 3: transcribed interview with Dr. Harper on the brutality of horse slaughter and what she witnessed). An excerpt from her transcribed interview includes,

“So this is a big problem. Epidemiology, which is trying to learn disease outbreaks and what causes it, well, the same thing with food. When trying to trace back positive residues in respect to food, the number one generic thing is you have to have proper identification and traceability. And that's lacking when it comes to horse slaughter,

where it isn't with other animals that are traditionally raised as food producing animals. So that's important because horses aren't... And then the other issue is the abattoirs themselves and the flight response of horses, because horses are a species with an extreme, extreme flight response. Cattle and horses are two very different species and the kill boxes, et cetera, et cetera, have not often, in my opinion, been retrofitted properly to deal with the proper stunning of horses, and then of course the extreme flight response. There's countless examples of horses having to be shot many, many times because from what I understand, they use most of the time 22 caliber rifles, which is not adequate for penetrating the skull properly. And they're moving around because they're not in properly designed kill boxes. And so they're having to be shot multiple times. And there's videos and there's been news stories about the horses being raised and being bled out while they're still conscious. So this is just not acceptable. It's egregious and it's unacceptable."

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- E. There are three holding facilities on the Mexico border. None of them are regulated and most are owned by kill buyers. There have been 13 investigations of Presidio Holding facility by Animal Angels, an international organization that worked with the European Union to end the American horse meat trade. The investigations included the following under cover observations:

- F. "The C4 pens appeared even more dilapidated than during AA's investigation in 2013. A great deal of trash was visible on the premises and large manure piles covered with bones were all around the pen area. The horses still had no shelter from the desert sun. A very small amount of hay was visible in the front pens and a group of approximately 15 horses, of which several were quite thin, was gathered around it. In a separate pen, a small group of mares & foals was visible. At 11:00am, the C & L truck had just left the Baeza pens with a load of "rejects." Investigators followed the truck as he was heading north towards Marfa. The driver was speeding, at times driving as fast as 90 mph. When the truck had to slow down on a steep hill, investigators overtook the vehicle to film the horses inside the trailer. The driver reacted extremely angrily and tried to push the investigator's car off the road. In Marfa, the driver pulled over next to a gas station to get something to eat. The investigators were able to document the conditions of the horses inside the trailer. One of them had a horrific injury on his left hind leg. The lower leg was swollen to almost twice its regular size and an open, severely infected wound stretched all the way from his ankle to his knee. Flies were present on the exposed flesh. After documenting the injury, investigators immediately called local law enforcement. However, the police never arrived on the scene and the truck continued towards Oklahoma."
https://www.animalsangels.org/taxonomy/term/2/0?title=Presidio&field_date_value%5Bvalue%5D%5Bmonth%5D=

- G. These investigations are affirmed by another interview of a kill buyer. In the words of a kill buyer, Donny Sunnyside.

~ "I was a killer buyer ... It's a dirty business ... I was a cattleman ... cattle being butchered never saw this type of abuse and hatred ... the smell never leaves you ... I may be an old man, but I am not a stupid old man -I know what's good for America and its horses, and slaughterhouses are NOT it." ~

DONNY (the killer buyer)

15/03/2013 at 9:50 pm I hope that these passes and horses are protected. The horse followers of the Duquette and Wallis and McNeil troupe are misguided and have never walked through a slaughterhouse. I have, its the most grossly malicious thing you could EVER witness, a neighbors stolen horse went into the plant and I was told to stay out-but adrenaline never slows you down, I was a killer buyer, I know the fear in the horses eyes, he was gentle, I didn't find out he was stolen from a neighbor's house until I was told by a car who followed me two hundred miles, when I got inside the plant I saw him get beaten, prodded, his head bloody terrified, the guy had already started bolting his head, I saw them destroy this animal, the stories they are all true.

Another man killed a dayold filly with a baseball bat to her head. Do you really think that this is the way for the horses to die? I was a killer buyer I know what goes on, I quit that day after 10 years of doing it, I realized that this is not the line of work I could be proud of and I want Americans to know-anything goes just get the horses there, dead half dead, fully alive, just get them there, and no one worries about the condition, broken bones, whatever, because they just dont care.

The worst part is that the USDA and other organizations knew the laws and so did we, we know in or through the state of Illinois that it was against the law to transport a sick or injured or dying or diseased horse to slaughter, we knew that their laws state NO one can move these animals and that aged horses have to be euthanized and that all injured animals even in transport through Illinois and many other states have to be removed from the trailer, travel alone and have to be vetted, thats why when people photograph their trailers the killer buyers and myself carried guns, baseball bats, busted windshield out of their cars, broke camera's or just beat the people up, because we knew one way or the other we were going to jail, and the more injured or diseased animals or even aged dying animals that we were caught with the more jail time and fines were going to add up.

Not to mention we were running with no logs and going from state to state picking up animals and couldnt chance that we would get stopped running too many hours or no proof of where our loads came from. So paranoid drivers became violent, some resorted to stealing horses to make more profit and some just hired people who did it for them, some of those people even would up with attempted murder charges when people caught them stealing their horses and would try to save the animals.

ITs a dirty business, we buy a horse at auction and then tell the people who really wanted it a higher price and then we laugh when they won't pay for it. Trust me its a sad life-I saw the conditions those animals were in I dont need a antislaughter group to tell me this is stupid. Cheval employees told me they were unlikely to have 5 or 6 horses a week that actually got stunned on the first blow they did hundreds a week and only 5 or 6 would let them do it humanely-so thats a really bad thing. I was a cattleman before that-I saw cattle being butchered I never saw this type of abuse and hatred. I saw things but this appalled me so much I cant do it ever again. As for my neighbor I lost a friend, it doesnt matter I didnt know that was her horse, it will never be repaired, I can't go back and unload him for her-I destroyed her life, I know that. I have done things I wish I had never done, I have done things I wish I never knew. Those slaughter people they just get crazy over time and you hear them talk about how they would like to cut people up and do weird things-but until you have been in the plant you cant understand why they are getting so whacked out. Trust me this is not a subject that pro slaughter people will understand until they experiance it.

The smell-could never get it out of my nose, seeing all the rotting horses lying dead-the USDA said we cannot stand for this and wham the govenment closed it all down, thank God, now it has to happen again, Permanent. The smell never leaves you. The USDA has tons of information about the trade and none of it is good because it wasnt good. I may be an old man, but I am not a stupid old man-I know whats good for America and its horses and slaughterhouses are NOT it." *(no edits or corrections have been made to this letter).*

II. AAEP & AVMA LETTERS SUBMITTED TO CONGRESS MAY 22, 2022

- A. AAEP stated that their membership of 9300 are writing to oppose the SAFE Act. 100% of veterinarians to whom we have spoken state they weren't aware of the letter and were not aware of nor did they support their organization's stance.
- B. AVMA stated that their membership of 95,500 opposes the SAFE Act. 100% of veterinarians to whom we have spoken are unaware of the organization's stance and were unaware of nor did they support the letter written.
- C. **AAEP Statement:** *"...countless other horse producers, and equine associations, do not support this legislation. Plus, there is no interest by the Senate to support such legislation."*

Response: This year, Animal Welfare Institute published a 10-page list of breeder associations, organizations, Wildlife organizations, Breeders Cup winners and owners, etc. that support the SAFE Act. See attachment here:

<https://awionline.org/content/organizations-and-individuals-opposed-horse-slaughter>

Jockey Club, Breeders Cup, United States Trotting Association are just a few that have spoken up loudly in supporting the SAFE Act.

AAEP Statement: *"The report clearly linked the 2007 ban with the decline in welfare conditions, discussing the notable increase in horse abandonments and increased incidents of investigation for abuse and neglect."*

Response: According to Nancy Perry, ASPCA, there has never been a tracking system locally and nationally for reports of equine abuse or neglect reports, so this is a false statement by the report and by the AAEP. Any decline in welfare and increase in abandonment was a direct result not of the slaughter ban, but of the economic downturn in 2008, which also gave rise to new programs across the nation to help horse owners struggling to care for their animals.

AAEP Statement: *"In February 2020, ...Dr. Corey testified at an Energy and Commerce hearing on this issue."* Their letter included the link.

Response: Dr. Corey testified using data that was 15 years old. He reported approx. 70,000 horses more than the accurate numbers of horses that were shipped in 2019 and 2020, and the number of horse shipping continues to decrease. Shelby feedlot in Montana was recently closed due to the lack of revenue from kill pen horses.

AVMA statement in their letter to committee: *"H.R. 3353 does not address the financial support required for unwanted horses that cannot be slaughtered."*

Response: There are over 500 rescues, more than 44 federal grants, more than 10 national equine assisted recognized methodologies for various types of therapy, VA supplies more than 1 million per year in grant funding for equine assisted therapy for veterans, mounted police, search and rescue and other law enforcement agencies adopt rescue horses, wild horse protected areas on the east coast bring in millions of dollars in revenue from visitors,

there are 10 wild horse ranches that offer paid volunteer experiences, and countless state services for assistance. Programs exist to help owners care for the animals, including hay banks, gelding and euthanasia clinics, veterinary assistance programs, rehoming and retraining programs, and more.

AVMA Statement: *“With respect to Animal Welfare: Many of these unwanted horses will be donated to horse rescue and retirement facilities, which are not regulated by any governmental body.”*

Response: According to a USDA report in 2019, 50 States have State Animal Health Veterinarians. These positions include the responsibility of investigating reports of neglect and abuse at facilities in their states.

(https://www.aphis.usda.gov/animal_health/vet_accreditation/downloads/sta)

According to the Animal Legal Defense Fund, in a 2021 report, animal control facilities exist in every state and district in the country. (<https://aldf.org/project/us-state-rankings/>)

AVMA statement: *“...the inevitable disposal of additional horse carcasses raises environmental concerns, including soil contamination and poisoning of wildlife by euthanasia drugs in buried carcasses.”*

Response: According to a 2022, 6-month study conducted by the University of Minnesota Dept. of Animal Science, composting a deceased horse with cow manure, wood chips and layering of these items, can compost a body making it good for the soil. When layered, cameras did not detect any wildlife disturbing the bodies over a 6-months. (<https://extension.umn.edu/composting-livestock-and-poultry-carcasses/horsecarcass-compost-pile>)

According to Cornell Waste Management Institute, “Composting your horse on-site is cost effective, environmentally sound, biosecure and easy to accomplish by building the pile appropriately.” They go on to say that “burial onsite is legal in most states, and most states have specific directions on how to accomplish burial without contamination.” (<https://cwmi.css.cornell.edu/horsefs.pdf>)

While availability varies among states, there are many low-cost options for disposal of horse carcasses, including county landfills, equine cemeteries, and rendering facilities. The average cost of disposing of a horse carcass is around \$200, and as little as \$25.

III. National Congress of American Indians

- A) The Navajo Nation is a 12.8-billion-dollar community. (www.navajo-nsn.gov)
- B) The Yakama Tribe draws in 96 million dollars from its casino alone and donates a significant amount to local law enforcement. (<https://www.washingtonindiangaming.org/wpcontent/uploads/2019/08/WIGA-EconImpact2019.pdf>)
- C) The Shoshone Tribe draws in 400 million in revenue per year. (<https://www.sbtribes.com/>)

Fact: There are 574 tribes. Many of them revere horses as sacred. The tribes represented in the coalition do not speak for many of their members.

Fact: The Shoshone tribe has sent hundreds of horses to kill pens but deny it when you reach out to their tribal offices. If this was something they believed was right and good to do, why deny it?

Fact: The SAFE Act does not deny them the right to euthanize their horses.

Fact: The SAFE Act does not deny them the right to eat their own horses.

Fact: The Native American communities have the financial resources to call veterinarians to humanely euthanize their horses. If they would like to eat their horses, then disposal is not a consideration. There is not a legitimate or humane reason to send them to kill pens.

Fact: “When I heard about the slaughter of America’s horses it reminded me of the genocide on Indian tribes,” says Paul Rainbird, Former Lt Governor San Idelfonso Pueblo New Mexico. “For us to turn around and slaughter horses is like cutting out our own heart.” Chief Arvol Looking Horse, Lakota Nation, S. Dakota. “My great grandfather was Chief Big Foot. He was massacred at Wounded Knee, 1890. I speak out today because my heart is heavy and hurting; that we still have to face the ongoing genocide, that what we hold so deeply in our heart,” (*The Desert Independent, 2013*)

Fact: “The Lakota and Chief David Bald Eagle believe that abusing a horse, including slaughtering a horse for human consumption, will bring misfortune or death to the abuser,” according to the 40-page lawsuit that was filed in New Mexico federal court. “The Lakota and Chief David Bald Eagle also believe that allowing the slaughter of horses on Native American land will not benefit the tribal nations, but instead will be an opportunity for more control by the non-native government and outside special interests. “Sandy Schaefer, a member of the Sioux tribe, stated that horse slaughter is “greedy, disrespectful and contrary to the Native Americans’ relationship with its brother nation, the horse nation.” (<https://www.habitatforhorses.org/native-american-tribes-divided-on-horse-slaughter/>).

Evidence based solution 1: “Love Wild Horses, a California-based nonprofit, is reintroducing captured at-risk wild horses back to protect vulnerable grasslands in wildfire and climate change protection healing land studies. In these studies, LWH will also be employing indigenous undergrad students to participate in measuring and documenting findings and reconnecting with the horses, which is their natural birthright. On an emotional and spiritual level, the horses are a bridge of strength for youth and elders to ease suffering and align with their life missions. Reconnecting the horses to empower survival for the land and humanity is a far better option than slaughtering these magnificent life-enhancing beings. As a solution, please consider free-roaming horses’ vital role in helping to sustain and improve biodiversity for entire grassland ecosystems and surrounding communities to thrive (See ReWilding Spain and Silvo-pasture). LWH’s first study of five, is happening in Northern Nevada, and in just a few months, positive impacts on the wellbeing of the horses and land are visible and underway. These studies also support private landowners and all community stakeholders, including flora and fauna, and humanity to benefit from saving the horses now and for future generations.” ~ Jetara Séhart, Founder and President, Love Wild Horses®

Evidence based solution 2: “Another solution to support domestic and wild horse owners, rescues, and sanctuaries in need, including retired racing horses, would be to create a National Hay Bank that people could contribute to at racetracks when betting, equine events, and at all horse enthusiast stores. LWH

Green Hay Bank has served in this capacity and helped supply 25 tons of hay to support the saving of 900 horses. There are no unwanted horses, but there are sometimes horses in need. A National Hay Bank could provide support as a viable and compassionate solution rather than exporting them to cruel torturous slaughter. We implore you to adopt humane solutions by moving the SAFE Act forward so our legislative representatives will have the opportunity to save America's horses. “ Jetara Séhart, Founder and President, Love Wild Horses®

Evidence based solution 3: The National Congress of American Indians can contract with an organization to dart mares with fertility treatment, which has shown to be successful, and is growing in implementation across the wild horse community. 11 million dollars has been passed in the House appropriations bill for the Bureau of Land Management.

Evidence based solution 4: Horse plus humane society holds free euthanasia and re-homing drop ins across the country. They are grant funded and would benefit from support to increase frequency and reach of this program.

IV. HR 3353 SAFE ACT: Concern regarding “Reason to believe” (#8) & burden of ‘Proof’.

Evidence based solution 1: Federation of Equine International requires “horse passports.” Each passport includes proof of vaccinations completed within 6 months of travel documented by a veterinarian. Many countries require a “permission to enter” letter prior to entering. It is already required that all horses entering other countries for events, must provide proof of all vaccinations documented in their passports. The US Equestrian Federation requires the same documents. Completion of all vaccines is required prior to registration and must be done within 6 months of entering the competition, so there is ample time to complete said requirements.

Proposed solution 1: All equestrian events report a roster of registered participants to border control.

Proposed solution 2: Any transporter of more than 5 horses must present passports for each horse, have registration checked at the border, and every passport include veterinarian verification of vaccinations in the passport. If a transporter attempts to pass through fraudulently, consequences will be implemented immediately.

Evidence based solution 2: The prescription drug tracking system, that links all drug stores to identify flagged individuals has been very successful since its inception. The NCIC runs a national criminal background check and can be done easily from any device.

Proposed solution 1: Develop the same tracking system to identify kill buyers/slaughter transporters that can identify an offender by scanning a DOT number or license plate.

Fact: It is easy to differentiate between shipping show horses and shipping slaughter bound horses.

Fact: Show horses are always transported with water and food in front of them. They will be haltered, feet wrapped, blanketed depending on weather, fly masks depending on season. They will be well groomed.

Fact: Slaughter Bound horses will not travel with food and water, will not be haltered, and will be loose in a trailer. They will have stickers on their hips. Their heads will probably be hanging low and eyes glazed over from emotional and physical trauma and depression. They may be down on the trailer, injured or obvious suffering. You may see foals, weanlings, yearlings (ages birth to two) and will be obviously smaller.

“AAEP believes horses, including those destined for a processing facility, should be euthanized humanely with dignity in accordance with AVMA’s Euthanasia Guidelines, endorsed by the AAEP as well.”



Respectfully submitted by,

Advocates for Wild Equines National Grassroots Lobbying Coalition

Contributions by: Animal Wellness Action/Center for Humane Economy 501c3, Love Wild Horses 501c3