

DEPARTMENT of the INTERIOR

news release

FISH AND WILDLIFE SERVICE

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McGarvey 202/343-5634

HUNTING ON NATIONAL WILDLIFE REFUGES UPHELD IN COURT

Public hunting on three National Wildlife Refuges has been upheld by the U.S. Court of Appeals for the District of Columbia Circuit as one method of wildlife management for controlling surplus animal populations, Director Lynn A. Greenwalt of the Interior Department's Fish and Wildlife Service said today.

The Secretary of the Interior and the Fish and Wildlife Service were challenged in court by the Humane Society of the United States for authorizing public deer hunts involving the use of shotguns with buckshot, bows and arrows, and/or muzzle loading rifles at Great Swamp NWR in New Jersey, Eastern Neck NWR in Maryland, and Chincoteague NWR in Virginia.

The Humane Society argued that the scheduled hunts were not compatible with the primary purposes for which the refuges were established. In each instance, the refuges in question were established to provide habitat for migratory waterfowl.

The Humane Society contended that the use of the three weapons was contrary to principles of sound wildlife management. It also argued that the hunts were not consistent with these principles because the Government's data did not support a finding of surplus populations of deer or of the present necessity for these hunts. In addition, the Humane Society argued that public hunting, in these three cases, was inhumane, and violated a public policy requiring humane treatment of animals. The Society sought a permanent injunction against the scheduled hunts.

The lower court could find no basis on which the injunction sought by the Humane Society could be properly granted. The court of appeals likewise found no statutory requirement that the Secretary be guided by considerations of humaneness in selecting weapons to be used for public hunts. The court agreed that deer populations needed controlling. It further found that Congress has clearly authorized the Secretary to permit the recreational use of refuges, and that public hunting is an acceptable method for controlling refuge deer populations.

In authorizing public hunting on National Wildlife Refuges, the Fish and Wildlife Service recognizes that it serves two functions--managing wildlife resources and providing public recreation. The Fish and Wildlife Service interprets the court's ruling as upholding the Secretary's statutory authority to permit public recreational use, including conventional methods of hunting, of refuge lands and resources and as upholding the regulatory framework under which such recreational hunts are conducted.

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