

Congress of the United States

Washington, DC 20515

October 3, 2022

The Honorable Kevin Shea
Administrator, Animal and Plant Health Inspection
Service
U.S. Department of Agriculture
4700 River Road Riverdale, MD 20737

Dear Administrator Shea:

Thank you for taking the time to meet with the Congressional Animal Protection Caucus earlier this summer to discuss the Animal and Plant Health Inspection Service's (APHIS) Animal Welfare Act (AWA) enforcement program. We appreciated receiving updates about the agency's ongoing work to strengthen the program. However, we remain highly concerned about APHIS's failure to enforce the AWA and meet its mandate to protect animals from cruelty.

Recent high-profile cases involving egregious animal cruelty at the hands of U.S. Department of Agriculture (USDA)-licensed dog breeders illustrate our ongoing concern. The cruelty could have been prevented had the USDA intervened earlier through regulatory enforcement actions. Because USDA did not take earlier action, the agency had to invest additional time and resources to pursue action in conjunction with the U.S. Department of Justice, which also had to use its resources to intervene and remove the animals from these inhumane conditions. The recent cases are not outliers. They are part of a pattern of agency inaction in response to problematic breeders. APHIS has over 2,500 pages of photos and reports detailing violations at licensed dog dealers from 2021 alone. While these photos and descriptions depict many glaring violations of the law that resulted in animal suffering, none of these dogs were confiscated by the agency, none of these licensees paid any fines, and only one license was revoked through a settlement.

Congress has repeatedly directed APHIS to rectify glaring shortcomings in its AWA program, including through directives in appropriations bills. Report language accompanying the Fiscal Year 2018 bill instructed the agency to restore its database of animal welfare records that the agency removed from its public website on February 3, 2017. After Congress enacted into law language reflecting this directive the following year, the USDA finally complied and restored most of these records. Since then, Congress has continually asked APHIS to make improvements to the program, including instructing the agency to end its "teachable moments" program. Teachable moments replaced proper recording of non-compliances and violations at licensed facilities with a separate demerit system that treated offenses more lightly. We appreciate that the agency has finally ended this ineffective program.

The recent House-passed Fiscal Year 2023 spending bill for the Department also includes new directives aimed at improving AWA enforcement. We support these reforms and urge APHIS to immediately move forward with meeting them in order to address the poor state of the program. Reforms include: record all violations of the law on inspection reports; cease using funds to prioritize education or collaborative approaches to violations or non-compliance ahead of enforcement under the law; ensure unannounced inspections on a regular basis; act swiftly when facilities fail to comply with any of the Act's requirements; assess penalties in response to violations as

appropriate; ensure that Internet sales dealers are properly licensed and share inspection reports that identify violations or failures of compliance with relevant local, state, and federal agencies.

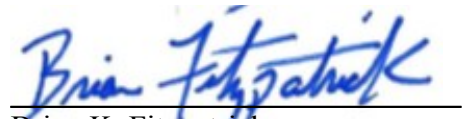
In addition to appropriations language, Congress has expressed its support for programmatic reform through the introduction of several bills aimed at amending the AWA. These include the Animal Welfare Enforcement Improvement Act (H.R. 3277), Goldie's Act (H.R. 6100), and the Puppy Protection Act (H.R. 2840). We urge the agency to consider these proposals and work with Congress to make necessary improvements to its animal welfare enforcement to better protect animals.

Thank you for your consideration. We look forward to hearing the agency's plan for improving animal welfare and ending the suffering and deaths that are occurring at USDA-licensed facilities.

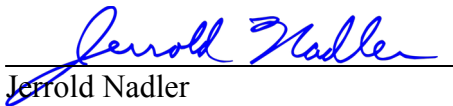
Sincerely,



Earl Blumenauer
Member of Congress



Brian K. Fitzpatrick
Member of Congress



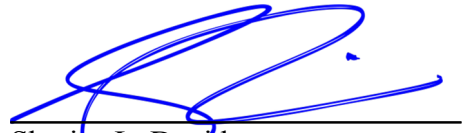
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Sharice L. Davids
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Carolyn B. Maloney
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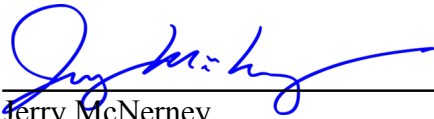
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Marie Newman
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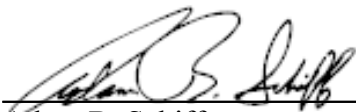
Peter Welch
Member of Congress



Jerry McNerney
Member of Congress



Angie Craig
Member of Congress



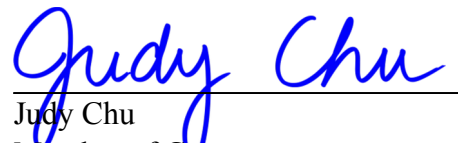
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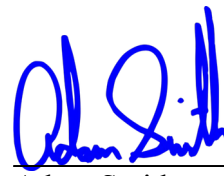
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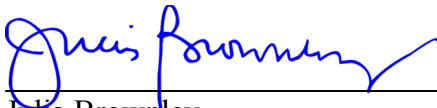
Barbara Lee
Member of Congress



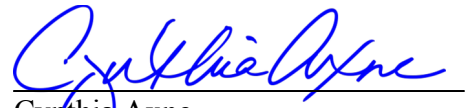
Peter A. DeFazio
Member of Congress



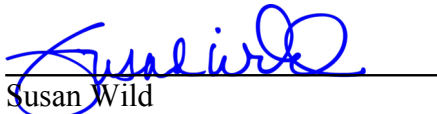
Adam Smith
Member of Congress



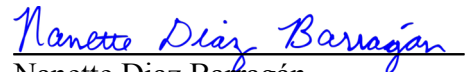
Julia Brownley
Member of Congress



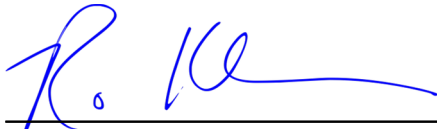
Cynthia Axne
Member of Congress



Susan Wild
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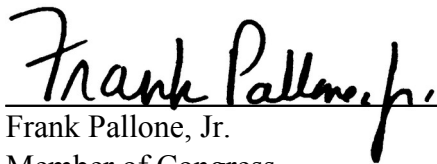
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Ro Khanna
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Frank Pallone, Jr.
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