

# United States Senate

WASHINGTON, DC 20510

May 22, 2003

The Honorable Robert Bennett, Chairman  
The Honorable Herb Kohl, Ranking Member  
Appropriations Subcommittee on Agriculture  
136 Dirksen Senate Office Building  
Washington, D.C. 20510

Dear Chairman Bennett and Ranking Member Kohl:

We are writing to thank you for your outstanding support in FY 2003 for improved enforcement by the U.S. Department of Agriculture of key animal welfare laws, and to urge you to "hold the line" in FY 2004 so that this effort can be sustained. Your leadership is making a great difference in helping to protect the welfare of millions of animals across the country, including those at commercial breeding facilities, laboratories, zoos, circuses, airlines, and slaughterhouses. As you know, better enforcement will also benefit people by helping to prevent: 1) injuries to slaughterhouse workers from animals struggling in pain; 2) orchestrated dogfights and cockfights that often involve illegal gambling, drug traffic, and human violence; 3) the sale of unhealthy pets by commercial breeders commonly referred to as "puppy mills"; 4) laboratory conditions that may impair the scientific integrity of animal based research; 5) risks of disease transmission from, and dangerous encounters with, wild animals in or during public exhibition; and 6) injuries and deaths of pets on commercial airline flights due to mishandling and exposure to adverse environmental conditions.

For FY 2004, we want to ensure that the important work made possible by the FY 2003 budget is continued, that newly hired and trained inspectors will be able to stay on the job, and that resources will be used in the most effective ways possible to carry out these key laws. Specific areas of concern are as follows:

## **Office of Inspector General / \$800,000 Increase for Animal Fighting Enforcement**

In last year's Farm Bill, Congress enacted provisions that were overwhelmingly supported in both chambers to close loopholes in the Animal Welfare Act (AWA) regarding cockfighting and dogfighting. Since 1976, when Congress first prohibited most interstate and foreign commerce of animals for fighting, USDA has pursued no cockfighting cases and only three dogfighting cases, despite rampant activity across the country. USDA has apparently received innumerable tips from informants and requests to assist with state and local prosecutions, but has routinely ignored or declined such requests. It is time for USDA to take seriously its responsibility to enforce the portion of the AWA dealing with animal fighting ventures. Dogfighting and cockfighting are barbaric activities in which animals are drugged to heighten their aggression and forced to keep fighting even after they've suffered grievous injuries, such as pierced lungs and gouged eyes. Animal fighting is almost always associated with illegal gambling, and also often involves illegal drug traffic and violence. Dogs bred and trained to fight endanger public safety. Cockfighting has been linked with the recent outbreak of Exotic Newcastle Disease that has already destroyed many poultry flocks and cost taxpayers more than \$40 million for containment and compensation, with costs estimated to rise as high as \$250 - \$500 million. Given the dangerous nature of animal fighting enforcement work, we believe that the department's chief law enforcement arm - the Office of Inspector General (OIG) - is best suited to lead this effort. We therefore respectfully request an increase of \$800,000 for the OIG to focus on animal fighting cases, working closely with state and local law enforcement personnel to complement their efforts.

**Food Safety and Inspection Service / Humane Methods of Slaughter Act (HMSA) Enforcement**

We greatly appreciate the inclusion of \$5 million in the FY 2003 bill to hire at least 50 inspectors whose sole responsibility will be to ensure that livestock are treated humanely and rendered unconscious before they are killed. This initiative responds to the public outcry that followed news accounts in the Washington Post about animals being skinned, dismembered, and scalded while they are still alive and conscious. Having these new inspectors focus on unloading, handling, stunning, and killing of animals will bring much-needed attention to slaughter plant practices that have had little oversight in recent years. We also appreciate your inclusion of language specifying that the ongoing activities of 17 District Veterinary Medical Specialists hired as a result of \$1 million provided in the FY 2001 Supplemental should be limited to HMSA enforcement rather than the various unrelated duties with which they had been charged. And we commend you for directing the General Accounting Office to review and report by July 1, 2003 on the scope and frequency of HMSA violations, with "recommendations on the extent to which additional resources for inspection personnel, training, and other agency functions are needed to properly regulate slaughter facilities in the area of HMSA enforcement." There are nearly 900 federally inspected slaughter plants in the U.S., handling millions of animals each day. In addition to requesting continued funds in FY 2004 to sustain at least 50 new inspectors and the 17 positions mentioned above, we hope you will give full consideration to any recommendations the GAO may have for enhancing enforcement of this important – and very basic – law.

**APHIS / Animal Welfare Enforcement**

Thanks to funding increases in the past four years, Congress has enabled USDA to begin to reverse a serious decline in the number of AWA compliance inspections. However, the President's FY 2004 budget proposal – which suggests \$1.7 million *less* for the Animal Care division than in FY 2003 – would fail to cover the salaries of recently-hired inspectors and substantially undo the gains Congress has made possible. Moreover, there is still much room for improvement. Many facilities continue to escape oversight for long periods of time, giving rise to situations that threaten both human and animal health and safety. Nearly half of the sites that do get inspected are found to have apparent violations of the minimum standards under the Act and, therefore, follow-up visits are badly needed. We urge you to sustain Animal Welfare funding at the FY 2003 appropriated level of \$16.4 million, in order to keep the current number of inspectors (approximately 100 to oversee about 10,000 sites).

Again, we are very grateful for the Subcommittee's leadership in addressing enforcement needs for key animal welfare laws. We hope you will stay the course, so that funds necessary to administer these laws effectively will continue to be available and will be appropriately used. We look forward to working with you in the coming year, and thank you for your consideration.

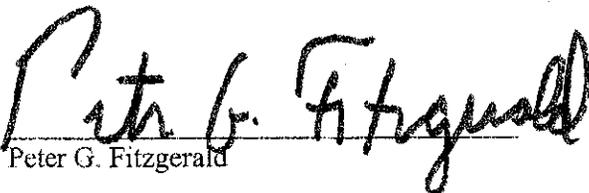
Sincerely,



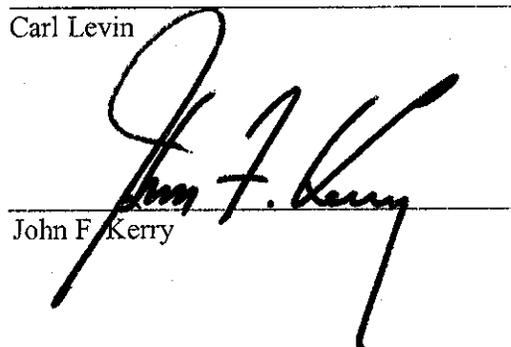
Rick Santorum



Carl Levin



Peter G. Fitzgerald



John F. Kerry

Mark Dayton

Mark Dayton

Susan Collins

Susan M. Collins

Ed Kennedy

Edward M. Kennedy

Tom Harkin

Tom Harkin

G. Smith

Gordon Smith

J. Lieberman

Joseph I. Lieberman

Patrick Leahy

Patrick J. Leahy

Ch. Schumer

Charles E. Schumer

Maria Cantwell

Maria Cantwell

Hillary Rodham Clinton

Hillary Rodham Clinton

Joe Biden

Joseph R. Biden, Jr.

Jim Jeffords

James M. Jeffords

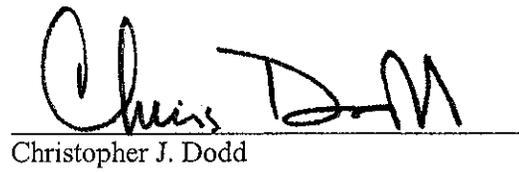
Arlen Specter

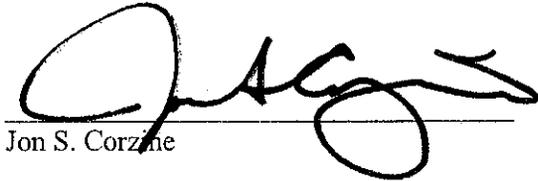
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Frank R. Lautenberg

Frank Lautenberg

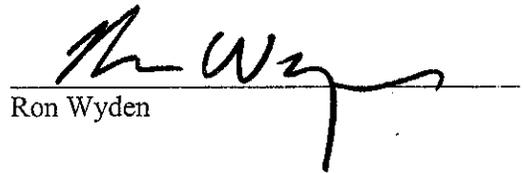
  
Russell D. Feingold

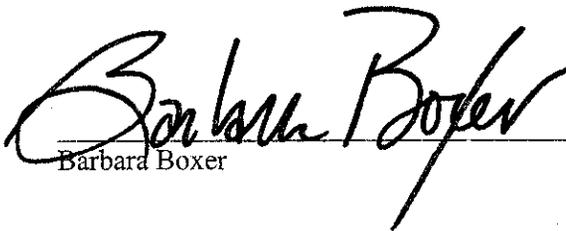
  
Christopher J. Dodd

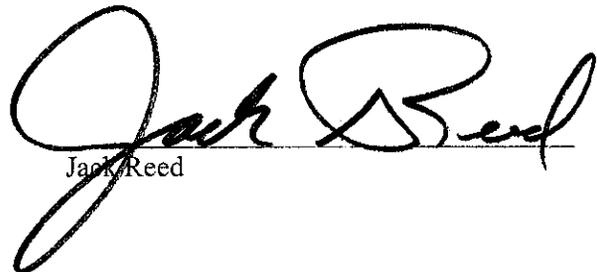
  
Jon S. Corzine

  
Harry Reid

  
Mike DeWine

  
Ron Wyden

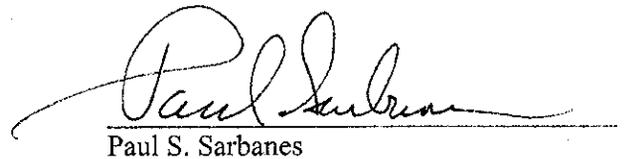
  
Barbara Boxer

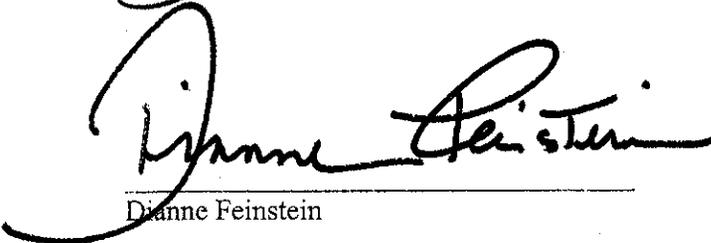
  
Jack Reed

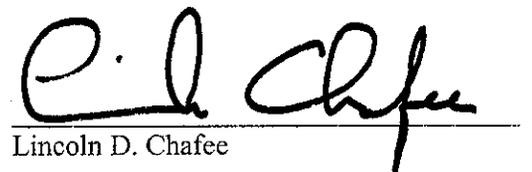
  
John Ensign

  
Daniel K. Akaka

  
John Edwards

  
Paul S. Sarbanes

  
Dianne Feinstein

  
Lincoln D. Chafee

John Warner  
John W. Warner

Bill Nelson  
Bill Nelson

Kent Conrad  
Kent Conrad

Elizabeth Dole  
Elizabeth Dole

Dick Durbin  
Richard J. Durbin

Mark Pryor  
Mark Pryor