

United States Senate

WASHINGTON, DC 20510

March 20, 2008

The Honorable Herb Kohl, Chairman
The Honorable Robert Bennett, Ranking Member
Appropriations Subcommittee on Agriculture,
Rural Development, FDA, and Related Agencies
188 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Chairman Kohl and Ranking Member Bennett:

We are writing to thank you for your outstanding support during recent years for improved enforcement by the U.S. Department of Agriculture of key animal welfare laws and to urge you to sustain this effort in Fiscal Year 2009. Your leadership is making a great difference in helping to protect the welfare of millions of animals across the country. As you know, better enforcement will also benefit people by helping to prevent: 1) food safety risks to consumers from sick animals who can transmit illness, and injuries to slaughterhouse workers from suffering animals; 2) orchestrated dogfights and cockfights that often involve illegal gambling, drug trafficking, and human violence, and can contribute to the spread of costly illnesses such as bird flu; 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. In order to continue the important work made possible by the Committee's prior support, we request the following for FY 2009:

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

We request funding and language to ensure strengthened HMSA enforcement. Shocking results of a recent undercover investigation revealed disturbing abuse of non-ambulatory livestock that was supplied to participants of the National School Lunch Program. This has focused national attention on the urgent need for more effective USDA oversight of humane handling and food safety rules. We strongly urge the Committee to make this a high priority by providing the necessary funding for USDA to better protect consumers and animals from future violations.

APHIS / Animal Welfare Act (AWA) Enforcement

We request that you support the President's request of \$21,522,000 for AWA enforcement under APHIS. We commend the Committee for responding in recent years to the urgent need for increased funding for the Animal Care division to improve its inspections of more than 14,000 sites, including commercial breeding facilities, laboratories, zoos, circuses, and airlines, to ensure compliance with AWA standards. Animal Care currently has 105 inspectors (with 6 vacancies in the process of being filled), compared to 64 inspectors at the end of the 1990s. We are pleased that the President's FY 2009 budget recommends an increase of \$1,024,000 (counting allowance for pay costs) to cover hiring new inspectors to handle additional responsibilities as the number of licensed/registered facilities continue to grow.

APHIS / Investigative and Enforcement Services

We request that you support the President's request of \$13,694,000 for APHIS Investigative and Enforcement Services. We appreciate the Committee's consistent support for this division, which handles many important responsibilities, including the investigation of alleged violations of the AWA and the initiation of appropriate enforcement actions. The President's budget recommends an increase of \$1,343,066 (counting allowance for pay costs) for IES in FY 2009, of which \$725,000 will be used to improve enforcement of federal animal welfare laws. The volume of animal welfare cases is rising significantly as new facilities become licensed and registered.

Office of Inspector General / Animal Fighting Enforcement

We request that you support the President's requested increase of \$6,274,852 for the Office of Inspector General to maintain staff, improve effectiveness, and allow investigations in various areas, including enforcement of animal fighting laws. We appreciate the Committee's inclusion of funding and language in recent years for the OIG to focus on animal fighting cases. Congress first prohibited most interstate and foreign commerce of animals for fighting in 1976, tightened loopholes in the law in 2002, and established felony penalties in 2007. We are pleased that USDA is working with state and local agencies to enforce this law. The Michael Vick case is the highest profile example of new federal efforts that have helped shine a spotlight on the barbaric practices of dogfighting and cockfighting, in which animals are drugged to heighten their aggression and forced to keep fighting even after they've suffered grievous injuries. Dogs bred and trained to fight endanger public safety, and some dogfighters steal pets to use as bait for training their dogs. Cockfighting was linked to an outbreak of Exotic Newcastle Disease in 2002-2003 that cost taxpayers more than \$200 million to contain. It has also been linked to the death of at least 9 people in Asia reportedly exposed through cockfighting activity to bird flu. Given the potential for further costly disease transmission, as well as the animal cruelty involved, we believe it is a sound investment for the federal government to increase its efforts to combat illegal animal fighting activity. We also support the OIG's auditing and investigative work to improve compliance with the humane slaughter law and downed animal rules.

CSREES / Veterinary Student Loan Forgiveness

We request \$1,000,000 to begin to fully implement the National Veterinary Medical Service Act (P.L. 108-161), specifically authorized in 2003, that received initial funding of \$500,000 in each of FY 2006 and FY 2007, and \$869,000 in FY 2008. We appreciate that Congress has begun to address the critical shortage of veterinarians practicing in rural and inner-city areas, as well as in government positions such as at FSIS and APHIS. Having adequate veterinary care is a core animal welfare concern. A study released in 2006 demonstrated the acute and worsening shortage of veterinarians working in rural farm animal practice, while domestic pets in both rural and urban areas are often left without necessary medical care. Veterinarians support our nation's defense against bioterrorism (the Centers for Disease Control estimate that 80% of potential bioterrorism agents are zoonotic - transmitted from animals to human). They are also on the front lines addressing public health problems associated with pet overpopulation, parasites, rabies, chronic wasting disease, bovine spongiform encephalopathy ("mad cow" disease), and a host of other concerns. To ensure adequate oversight of humane handling and food safety rules, FSIS must be able to fill vacancies in inspector positions. Veterinary school graduates face a crushing debt burden of over \$100,000 on average, and the lowest pay of any of the medical professions, with an average starting salary of \$46,000. For those who choose employment in underserved rural or inner-city areas or public health practice, the National Veterinary Medical Service Act authorizes the Secretary of Agriculture to forgive student debt. It also authorizes financial assistance for those who provide services during federal emergency situations such as disease outbreaks. We hope you will build on the initial funding provided in order to expand this needed program under CSREES or such other account as the Committee deems appropriate.

APHIS / Emergency Management Systems / Disaster Planning for Animals

We request that you support the President's request of \$996,000 for Animal Care under APHIS' Emergency Management Systems line item. Hurricanes Katrina and Rita demonstrated that many people refuse to evacuate if they are forced to leave their pets behind. The Animal Care division has been asked to develop infrastructure to help prepare for and respond to animal issues in a disaster and incorporate lessons learned from previous disasters. These funds will be used for staff time and resources to support state and local governments' and humane organizations' efforts to plan for protection of people with animals. The additional resources will enable the agency to participate, in partnership with FEMA, in the newly revised National Response Plan without jeopardizing other Animal Care programs.

Thank you for your consideration of these requests. We will be grateful for your leadership in ensuring that funds necessary to protect both animals and people will continue to be available.

Sincerely,


Elizabeth Dole


Carl Levin


Barbara Boxer


Debbie Stabenow


Tim Johnson


Amy Klobuchar


Richard Durbin


Robert Menendez


Frank Lautenberg


Dianne Feinstein


Sheldon Whitehouse


Russ Feingold


Benjamin Cardin

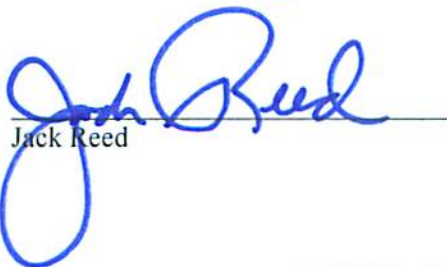

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