



United States
Department of
Agriculture

Animal and
Plant Health
Inspection
Service

1400 Independence
Avenue, SW
Washington, DC
20250

JUN 27 2017

The Honorable Brendan F. Boyle
U.S. House of Representatives
1133 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Boyle:

Thank you for your letter of March 30, 2017, regarding two cases handled by our Agency's Investigative and Enforcement Services (IES) program that involve numerous alleged violations of the Animal Welfare Act (AWA). We apologize for the delayed response.

We appreciate your interest in these cases, which involve Primate Products, Inc., based in Immokalee, Florida, and Holmes Farm in Barto, Pennsylvania, respectively. IES has completed its primary investigative work for both cases; each is currently undergoing internal Agency review. Because the completion dates depend on the results of these reviews, we cannot provide you with such dates at this time. We assure you we are proceeding as quickly as we can, in accordance with legal sufficiency requirements, the tenets of the Administrative Procedure Act, and the complexities of these particular cases.

With respect to the figures you requested regarding our Agency's open investigations, as of May 31, 2017, IES had a total of 492 open investigated cases and an additional 799 open cases that were referred to IES for review and possible enforcement action without a full investigation. Regarding the processing of cases referred from our Animal Care (AC) program in fiscal year 2017 (through May 31), IES took an average of 499 days to close investigated cases involving the Animal Welfare Act and Horse Protection Act. During the same time frame, IES took an average of 363 days to close its other investigated cases.

Regarding the processing of AC cases, the unique circumstances of individual cases dictate the time and effort require to conclude them. Investigations involving alleged AWA violations tend to require more time to complete than investigations involving many other statutes. A number of AWA-related cases involve complaints submitted by members of the public or animal welfare organizations and may include voluminous allegations and photographic or video evidence that must be reviewed and pursued. In addition, the majority of cases dealing with animal welfare issues, by their nature, involve more alleged violations than other cases IES handles.



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Finally, IES does not consider a case closed until alleged AWA violators have paid all penalties levied, and some alleged violators' payment plans extend for a year or more. This being said, IES is currently pursuing improvements to its processes to increase both the quality and timeliness of its investigations.

I hope this information is helpful. Should you or your staff have additional questions, please contact Mr. Christopher Needham, a legislative affairs specialist with our Agency. Mr. Needham can be reached by telephone at (202) 799-7027 or by email at Christopher.M.Needham@aphis.usda.gov.

Sincerely,

A handwritten signature in blue ink that reads "Jere L. Dick". The signature is written in a cursive style with a large initial "J".

Jere L. Dick
Acting Administrator