

118 CANNON HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515  
PHONE: (202) 225-6111  
FAX: (202) 226-0611

GLENSIDE  
115 EAST GLENSIDE AVENUE, SUITE 1  
GLENSIDE, PA 19038  
PHONE: (215) 517-6572  
FAX: (215) 277-7225

PHILADELPHIA  
2375 WOODWARD STREET, SUITE 105  
PHILADELPHIA, PA 19115  
PHONE: (215) 335-3355  
FAX: (215) 856-3734

## Congress of the United States House of Representatives

BRENDAN F. BOYLE  
13<sup>TH</sup> DISTRICT, PENNSYLVANIA

COMMITTEE ON  
FOREIGN AFFAIRS  
SUBCOMMITTEE ON:  
THE MIDDLE EAST AND NORTH AFRICA  
COMMITTEE ON  
OVERSIGHT AND GOVERNMENT  
REFORM  
SUBCOMMITTEE ON:  
HEALTH CARE, BENEFITS, AND  
ADMINISTRATIVE RULES  
TRANSPORTATION AND PUBLIC ASSETS

March 30, 2017

Kevin Shea, Administrator  
Animal and Plant Health Inspection Services  
1400 Independence Avenue SW  
Washington, DC 20250

Dear Administrator Shea,

I write to respectfully request an update on two open Investigative and Enforcement Services (IES) investigations that have been delayed for a considerable length of time. The two cases are:

1. Primate Products: On May 15, 2015, People for the Ethical Treatment of Animals (PETA) presented Animal Care (AC) and IES with evidence of systemic neglect and violent handling of monkeys at Primate Products, Inc. (PPI). PPI annually imports hundreds of monkeys and sells them to laboratories for experiments. In May 2015 a team of six U.S. Department of Agriculture (USDA) inspectors confirmed PETA's findings and cited PPI for at least 25 violations of nine animal-welfare regulations. That month AC referred this case to IES. As of March 14, 2017, this investigation has been open for more than 630 days.
2. Holmes Farm: On December 7, 2015, PETA presented AC and IES with evidence of animal abuse at Holmes Farm, a massive Pennsylvania animal mill. A subsequent USDA inspection found at least 117 instances of violations of 14 federal regulations. In December 2015 this case was referred by AC to IES. As of March 14, 2017, this investigation has been open for more than 430 days.

I commend the progress made by IES in reducing average investigation periods. In 2014 you wrote about the issue of delays in processing IES cases, stating that "IES reduced the average time it takes to investigate and take action on alleged violations from 632 days to 328 days (about 48 percent)" between 2011 and 2014.<sup>1</sup> However, considering that these two cases considerably exceed the average delay, I ask that you please inform me in a timely manner of when these two investigations are expected to be completed.

---

<sup>1</sup>Animal and Plant Health Inspection Service, Oversight of Research Facilities Audit Report 33601-0001-41

Furthermore, in order to prevent such delays in investigating AWA violations in the future, I would also appreciate knowing what factors contributed to such excessive delays, what priority these cases were internally assigned, and what factors contributed to that internal classification. In addition, I would appreciate your help in obtaining answers to the following questions:

1. Number of Open Investigations: In 2012 APHIS stated that "APHIS will strive to maintain roughly 600-800 investigations in its system at any given time."<sup>2</sup> How many investigations are currently in the system as of March 2017?
2. Priority Given to Animal Care Referrals: Given that APHIS' IES unit provides investigative and enforcement support to APHIS' four regulatory programs, what is the average time IES takes to resolve an investigation opened on behalf of APHIS' AC program compared to those opened on behalf of the other three regulatory programs?

Thank you for your assistance in this matter. Please direct your response to Alana Shaw in my Washington, DC office.

Sincerely,



Brendan F. Boyle  
Member of Congress

CC: Michael C. Gregoire, Associate Administrator, APHIS  
Dr. Jere L. Dick, Associate Administrator, APHIS  
Bernadette Juarez, Deputy Administrator, AC Program

*Kevin - I appreciate your consideration.*

---

<sup>2</sup> APHIS Factsheet, Investigative and Enforcement Services January 2012, Questions and Answers: APHIS Enforcement Process Streamlining ([https://www.aphis.usda.gov/publications/aphis\\_general/2012/IES\\_process.pdf](https://www.aphis.usda.gov/publications/aphis_general/2012/IES_process.pdf))