

March 29, 2023

Hon. Joseph R. Biden, Jr.
President of the United States

Via e-mail: president@whitehouse.gov; comments@whitehouse.gov

Dear Mr. President:

We're writing to urge you to immediately replace the leadership at the U.S. Department of Agriculture (USDA) and its Animal and Plant Health Inspection Service (APHIS). This request stems from the agency's failure to fulfill its mandate to enforce the federal Animal Welfare Act (AWA). The agency apparently lacks the will to ensure that the animals used by the industries it regulates have even the meager protections provided under law, despite clear direction from Congress to do so. APHIS' inadequate enforcement of the AWA in puppy mills, roadside zoos and laboratories; its failure to address the public health risks posed by mink farming, primate laboratories, and cockfighting; and its inhumane mass killing methods all point to the urgent need for new leadership.

Most recently, the agency's mishandling of multiple issues at the notorious Envigo dog-breeding facility in Cumberland, Virginia, illustrates the need. As reported in a recent Reuters [exposé](#), APHIS inspectors had documented more than 70 violations of the AWA at Envigo over 11 months ending in May 2022, but "no action was ever taken."¹ The article—for which PETA provided hundreds of official records obtained through Freedom of Information Act requests—reports that APHIS failed to abide by its own policies that require follow-up inspections once critical violations (i.e., those that put animals in immediate harm) have been identified, as they were again and again at Envigo's facility.

The records obtained and reviewed by PETA reveal an extraordinary degree of inappropriate involvement in the USDA's oversight of Envigo's facility on the part of Animal Care (AC) Program Deputy Administrator Betty Goldentyer, AC Director of Animal Welfare Operations Robert Gibbens, then-acting AC Director Aaron Rhyner, and AC Assistant Director Andrew Jones, including the following:

- Goldentyer removed a seasoned veterinarian from her duties of supervising inspections of the facility, which falls within that veterinarian's geographic responsibility, for no apparent reason other than that this individual was doing a thorough job—and evidently to appease Envigo.
- Gibbens stripped from an inspection report two citations detailing Envigo workers' interference with inspectors and failure to feed nursing dogs adequately. He also rejected pleas to send an appropriately staffed and equipped inspection team to the site.
- Rhyner removed descriptions of illegal conditions of and for dogs from an inspection report.
- Jones excluded a veterinarian from a meeting about Envigo and repeatedly and successfully urged a subordinate to replace a seasoned member of the inspection team.

¹Lynch SN, Levy R. [Exclusive: US probe of dog breeder scrutinizes why USDA left thousands of beagles to suffer.](#) *Reuters*. March 9, 2023.

According to Reuters, “Tensions peaked between APHIS leaders and inspectors after a 107-page report from a third inspection in November 2021 was rescinded by APHIS managers, who ordered the inspection team to edit it down to 22 pages.” The final report was therefore less than 21% of its original length—and was only released to the public and interested legislators more than four months after the inspection, in late March 2022.

APHIS’ complicity with Envigo executives to minimize and disregard these animal welfare violations resulted in months of unnecessary suffering. When APHIS failed to take meaningful action—and on May 3, 2022, did not report discovering a single dog deprived of appropriate veterinary care during an inspection—the U.S. Department of Justice (DOJ) opened its own investigation. Just 15 days after APHIS’ last visit, the DOJ and other federal and state investigators found 446 dogs in acute distress and hundreds of others in need of help. After nearly two months of battling the DOJ in court, Envigo finally agreed to close the facility. Thanks to a dedicated community of animal welfare groups from across the U.S., nearly 4,000 surviving dogs were finally released to homes.

While Reuters [reported](#) that Goldentyr is now stepping down following the DOJ investigation, this is not enough. This case is just one of many in the last two decades in which APHIS leadership has failed to fulfill its AWA enforcement responsibilities. While the USDA has the authority to suspend or revoke a facility’s license or registration, it has rarely done so, even after years of serious and repeat violations of federal law that have resulted in immense suffering and death. APHIS’ poor performance—enabled by USDA’s top officials—should be swiftly addressed by replacing the leadership with committed professionals who are capable of and willing to do their job.

Respectfully,

Animal Legal Defense Fund (ALDF)

Animal Wellness Action/Animal Wellness Foundation

Center for a Humane Economy

People for the Ethical Treatment of Animals (PETA)

Physicians Committee for Responsible Medicine (PCRM)