

[START OF TRANSCRIPT]

Melissa: Good afternoon, ladies and gentlemen. Welcome and thank you for joining today's teleconference, Third Party Inspection and Certification. Please note that all lines will be muted until the comments portion of this call. We will give you instructions on how to make a comment at that time. With that, I'll turn the call over to Mike Tuck from the APHIS Center for Animal Welfare. Mr. Tuck, please go ahead.

Mike Tuck: Thank you, Melissa. Good day. Yes, my name is Mike Tuck from the APHIS Center for Animal Welfare. I would like to welcome you to a listening session, APHIS Animal Care Hosting to solicit feedback that will aid APHIS as to consider whether to recognize third-party inspection and certification programs as a positive factor when determining the agency's own inspection frequency under the Animal Welfare Act. If so, the type of criteria is if it should consider when recognizing such programs. We have held in-person listening sessions earlier this year in Santa Clara, California, Rosedale, Maryland, Kansas City, Missouri and Tampa, Florida. We have also scheduled an additional session for Columbus, Ohio on Thursday, March 22nd. Additional information on these sessions can be found on the Animal Care webpage.

This session will be recorded, and a transcription placed on the Animal Care webpage. Today, we have the deputy administrator for Animal Care, Bernadette Juarez and the associate deputy administrator for Animal Care, Dr. Betty Goldentyer on the line. Dr. Betty Goldentyer would like to give a short overview of the third-party program. Betty.

Betty: Thanks, Mike. Thank you all for your interest in Animal Care and for being willing to give us feedback on our proposal here. As you know, APHIS is considering recognizing the use of qualified third-party programs for determining our frequency of inspection of regulated facilities. Mike sent you all the five questions that we're really interested in gaining information about. I'll just run those down quickly for you.

The first one is to just think about the potential reduction in APHIS inspections. Would that be a sufficient incentive for regulated parties to use a third-party certification program? We're looking for information on the advantages and disadvantages of voluntary third-party programs. We're looking for your opinions about whether you think third-party programs would be effective. Would they be practical? What criteria should APHIS use when it's considering the certification of third-party program? Finally, question five, aside from recognizing qualified third-party programs in calculating our inspection frequency, are there other methods APHIS could use to encourage facilities to achieve and sustain compliance?

I'd also like to clear up a couple of misunderstandings that we've heard through the prior sessions that Mike noted. We have no intention, APHIS has no intention of advocating our responsibility for assuring adequate animal welfare. These third-party certification programs would only be used to determine inspection frequencies by APHIS. APHIS would continue to conduct our routine unannounced inspections.

The purpose of considering third-party certifications is to leverage our resources so that we can provide more attention to animals and facilities which are at higher risks and not spend time at facilities that are in complete compliance and doing the good job with Animal Welfare. Two other quick misunderstandings that we've heard frequently, this, if we work and move in this direction to establish a third-party certification program, it would be completely voluntary. Also, I want to assure everyone that nothing has been decided yet about whether or how we might go forward on this. Our process is to listen, and that's what we're doing today, and that's what we'll be doing in Ohio in a couple of weeks. Once we've gotten all the listening sessions and all the written feedback done, we'll review those and put together a recommendation that would go through the regular development process.

With that, I'm going to turn it back to Mike.

Mike Tuck:

Thank you, Betty. As mentioned earlier, this is a listening session where we want to hear your comments in regard to this proposed program. We will not be answering any comments during the call. You will have three minutes to give your comments and the operator will let you know you have 30 seconds left to finish before we move on to the next caller. Written comments can also be sent to [regulations.gov](https://www.regulations.gov), docket ID: APHIS-2017-0102. Also, please begin your comments by stating your name and any affiliation you're associated with. Thank you. I will now turn it over to the operator for instructions to begin the listening session.

Melissa:

Ladies and gentlemen, as we move to the comments portion of today's conference, please press #2 on your telephone keypad to enter the comment queue. You will hear a notification when your line is unmuted. At that time, please state your name, affiliation and comment. We will be limiting comments to three minutes in duration. I will give you a notification when you have 30 seconds left to comment. After three minutes, we will move to the next comment. Once again, pressing #2 if you wish to give a comment and we do have people in queue. Please state your name and affiliation and comments.

Female Speaker 1:

Hello.

Melissa:

Please go ahead. I think she has left the line. One moment.

Female Speaker 1: The dogs.

Melissa: Please state your name and affiliation and comments.

Female Speaker 1: Okay. Hello? Can you hear me?

Melissa: Please go ahead.

Female Speaker 1: I want to speak on behalf of all the dogs that have suffered and are currently suffering at many of the USDA Dog Breeding operations. The American Kennel Club has lost its integrity and is no longer an organization with the mission to ensure the welfare of dogs being bred for sale. Instead, the AKC has become a lobby for puppy mills and other bad breeders. The AKC continues to try to dupe the public by capitalizing on its former image as an organization associated with quality dog breeding. Now, the AKC has become a protector of puppy mills rather than a protector of the innocent dogs that live in cells and suffer under inhumane conditions. Therefore, the AKC is no longer fit to serve in the capacity of inspector for the USDA. The dogs that **must endure** this sickening condition are then sold to consumers who are unaware of the cruelty involved in their breeding. Often, these dogs have life-long health issues due to these merciless circumstances. Anyone who has seen photographs or video of puppy mill rescues know that these businesses only care about money and treat dogs as commodities. This is a barbarian practice that has no place in a humane society. I am asking that the USDA step up its oversight and inspections of this industry and to make sure that the inspectors are partial without financial ties to the puppy mill industry. Thank you.

Melissa: Okay. We'll move on to the next comment. Caller, please state your name and affiliation and comments.

Female Speaker 2: Hello. Can you hear me?

Melissa: Please go ahead.

Female Speaker 2: Regulations are necessary. Government enforcement of regulations is necessary especially of the Animal Welfare Act. Animals can't testify about their suffering. Economic self-interest dooms industry self-regulation. Animals can't talk and testify about their suffering, so I attempt to talk on their behalf. Citizens support unannounced compliance inspections by experienced staff from the USDA. The resulting report should be publicly available. I object to the proposal to recognize third-party inspection and certification to determine inspections of facilities under the Animal Welfare Act because economic self-interest dooms industry self-regulation. That's the end of my comment. Thank you.

Melissa: Moving on to the next comment. Please state your name and affiliation.

Jill: Hi. My name is Jill Hoblit. I'm calling from Alachua, Florida. My comment is the USDA has the obligation to serve the public interest. It appears the agency wants to abandon its responsibility by using third parties for inspecting puppy mills, zoos, research laboratories and other animal facilities and leave the state of these vulnerable animals in the hands of private groups that are often closely related to the very industries being inspected. Even if there is not a conflict of interest, these valuable inspections will be more than likely infrequent and inadequate. It's unacceptable to place these animals in harm's way by taking this backward step. Thank you very much.

Melissa: Moving on to the next comments. Caller, please go ahead.

Allison: Hello. Hello.

Melissa: Please go ahead—affiliation.

Allison: Okay. My name is Allison Zayla. I found out about this through PETA, through my email and I believe the USDA inspections are important for animals in laboratories to be protected from neglect and abuse. The USDA admits that accreditation or certification with third-party programs doesn't guarantee adherence to the federal Animal Welfare Act. Therefore, I urge the USDA to retain its oversight authority of animal laboratories and not to authorize industries-friendly third parties to do the USDA's important oversight job. Thank you.

Melissa: Moving to the next comment. Caller, please state your name and affiliation.

Eileen: Good afternoon. My name is Eileen Hanrahan and I'm a volunteer member of the Virginia State Council of Humane Society of the United States and a long-time volunteer with a number of animal welfare leagues in Virginia. I'm focusing my testimony today on the proposal for third-party inspection of puppy mills. There are many reasons why third-party inspections are a bad idea for oversight of puppy mills. The primary concern is that USDA would be working with third-party groups that are partly funded by the regulated industries themselves. The American Kennel Club runs the largest existing third-party inspection program for dog breeders and likely would be at the top of the list to take on inspection authority. However, the AKC makes millions of dollars from puppy registrations every year so it has a financial interest in keeping as many high-volume dog breeders in business as possible. Moreover, the AKC opposes laws that would require better standards of care for breeding dogs.

An overview of AKC lobbying activities in 2015 found that the AKC opposed more than 150 different state bills designed to regulate dog breeders or require the most basic standards of care for dogs. Furthermore, breeders

who have passed AKC inspections have been found guilty of animal cruelty. In 2012, HSUS and local law enforcement groups rescued 60 dogs from the facility of AKC breeder, Mike Chilinski. Chilinski testified that he was confident he was in compliance because he had recently passed an AKC inspection. Nonetheless, the court convicted him and sentenced him to a lengthy prison term. There have been many other cases involving AKC-registered breeders convicted of animal cruelty. What's more, while the AKC claims to conduct inspections, it provides no reports on the results of the inspections nor it doesn't mete out any penalties to delinquent breeders.

USDA's past experience with delegating animal welfare inspections to private inspection entities has been widely recognized as an unmitigated failure. Decades ago, USDA set up an industry-run enforcement system under the federal Horse Protection Act to conduct inspections at Tennessee walking horse shows. These private inspectors are employees of horse show organizations and are often exhibitors of horses themselves. A 2010 audit by the USDA Inspector General exposed how horse trainers go to great lengths to evade detection and industry inspectors often disregard violations. So flawed is this system of industry self-policing, the audit recommended that the agency abolish it and resume full oversight authority—

Melissa: Caller, you have 30 seconds left for your comments.

Eileen: USDA has no reason to expect greater success with the third-party inspection program for dog breeders. Thank you for the opportunity to speak here today.

Melissa: Moving on to the next comment. Please state your name and affiliation.

Mary: Hi. My name is Mary LaHay. I am the founder and board chair of an organization, Iowa Friends of Companion Animals in the state of Iowa. In response to the first question that APHIS is submitting, I will comment that this first question is rhetorical. Wouldn't any business entity welcome a reduction in oversight by government officials or inspectors? Rather unscrupulous businesses with problematic AWA compliance histories could unlikely would simply exploit this relaxed form of oversight and let the animal care standards deteriorate further thus this change alone would do little to reward compliance and little to deter non-compliance. Third-party programs are the wrong incentive in an incomplete approach. We do not believe they can or should displace APHIS inspections.

In regards to your second request, we would state that among the disadvantages of third-party program participation are that they will largely be small and perhaps irrelevant to many while punitive results from non-compliance would be non-existent or mild relative to the measures that

APHIS can impose. Such programs are not typically open to parties with competing or opposing viewpoints that might ensure honest evaluations.

Would a blue-ribbon commission on natural gas tracking invite an environmental organization to participate in evaluating that industry? My last concern with this question is that documents and records of third-party programs will not be available to the public. The risks involved with this proposal are that most third-party evaluation programs are largely trade sponsored. The most obvious risk has been an insight or mentality dominates the effort and dilutes the effectiveness of oversight. Such programs are structurally incapable of matching government oversight and not have any effect of the frequency of government oversight.

In response to the third question in this case with dog breeding, third-party programs are not sufficient because the only real leverage they have is to deny a reward that most operators in their industry may be an irrelevant rather they aren't to be taught of its trade associations, use to differentiate one vagueness from another such as in the restaurant industry where those associations come to mind but they are still overseeing by government and local health department.

Melissa: Caller, you have 30 seconds left to comment.

Mary: In regard to the fourth question, we would say that unless they are shown to involve multiple outside interests such as recognized animal welfare organizations, these third-party associations are not to be considered. Thank you for your time.

Melissa: Moving on to the next comment. Caller, please state your name and affiliation, and please go ahead.

Willow: Hi. Can you hear me? Can you hear me?

Melissa: Please go ahead. Yes. Please go ahead.

Willow: Hi. My name is Willow Liroff and I'm not representing any organization. I'm horrified by this proposal to recognize third-party inspections and certification programs even just to affect the frequency of inspections as that's been mentioned as something that makes a big difference in whether or not this should be done. The USDA needs to serve its role, in strictly enforcing the already incredibly weak protections for animals under the Animal Welfare Act. Offloading this responsibility to a third party who's vested interest is to protect its business members not the animals is completely unacceptable. It's a conflict of interest for businesses to secure third-party inspections to reduce the number of inspections and oversight by the USDA and APHIS.

So, you asked for feedback and I would ask that not only do unannounced inspections by qualified USDA inspectors continue but that they need to be done more frequently annually minimally but I would ask that it happen at least every six months. The Animal Welfare Act uniquely reduces the extreme suffering of millions of animals each year. This is not a common type of act that is in place to just regulate business practices. Millions of animals are affected and tortured in these labs and other businesses that rely on living sentient beings each year.

The USDA needs to really step up its enforcement of the Animal Welfare Act and needs to also respond to violators immediately and really make sure that it's serving its role again and not allowing any sort of self-policing or self-enforcement or affecting the frequency of the USDA involvement by allowing these third-party inspections. So, please make sure to not allow this to move forward and I would ask that you never propose taking the USDA's important role in our country and allowing businesses to self-police. It's really a ridiculous and reckless proposal. Thank you.

Melissa: Moving on to the next comment. Caller, please state your name and affiliation, and please go ahead.

Peggy: Hi. My name is Peggy, and I'm calling with regard to this great venue today. I believe the USDA inspections are one of the few ways in which animals in labs are protected from neglect and abuse and one of the public's only ways to learn what's actually happening inside these facilities. I constantly am writing to different areas, different companies on the neglect that they're doing it to all the animals in their care. Even the USDA does not respond when I write to them about something going on out in Montana, Billings, one of the place where they slaughter the cows. Nobody respond, and I also tried to contact to them in Virginia at a road zoo because of the bear sitting in concrete constantly in the hot sand.

Even the USDA doesn't always do their job completely. This is what frustrates me now they want to pass it off to a third party either they need more people which apparently they should get, but I don't see the dedication from them of really caring for the animals that are out there suffering whether they're in slaughter yards, in holes, the buffalo out in the west where they're slaughtering them constantly and that's what--fish in wildlife.

This is all government agencies that are not doing their job – USDA, Fish & Wildlife. The buffalo are slaughtered every year and I've been on that constantly ever year contacting the governor and **[0:22:23 inaudible]** and so forth. Nobody does anything. Everybody is just passing the box and then now, they want to put in a third party that they will pass the bar because there's no accountability. Nobody is going to really step up and make sure they've done right because it's an easy way out not to do it. Many places

say they are farm-free and they are cage-free and so forth with the chickens. Then, I found out recently that, "Well, this is my farm and I have many farms that I work with." You don't know what the other farms are doing. Nobody knows. They could be hurting the animals and they proclaim as being "free" and yet, the people that are working there are paid minimum wage.

Melissa: Caller, you have 30 seconds left for your comments.

Peggy: They paid women in minimum wage at these farms, they don't care what they're doing with the animals. Ties in food. All these big places, they're abusing animals. Who's taking care of any of that? Nobody. So, no, I don't approve of a third-party because I think they are just going to pass the buck and they're going to just do what they want to do, and nobody is accountable. Thank you for your time.

Melissa: Moving on to the next caller. Caller, please state your name and affiliation.

Lisa: Hi. My name is Lisa Esterguard. I really have no affiliation other than I care very deeply about animals. I feel that using a third-party entity to evaluate animal care and compliance with the AWA, is the same as letting the fox guard the henhouse. This is the government's job to do this. Animals have social protections. This is one of the few ways that animals are protected albeit it could be better, but we need to keep the USDA performing this important function. It's also important to keep findings, any investigations and findings public. Thank you.

Melissa: Moving on to the next comment. Caller, please state your name and affiliation, and please go ahead.

Frances: Hi.

Melissa: Please go ahead.

Frances: Hi. Can you hear me? Hi. This is Dr. Frances Chang. I'm the science advisor in PETA's Laboratory Investigation Department. By the vast majority of stakeholders to date, PETA urges the USDA not to reduce inspection frequency based on third-party accreditations or inspections. I work in an animal experimental for over a decade and I can attest to the leveling of insensitivity in industry. Experimenters are trained to be emotionally detached from the animals they use and be able to use them as tool. This kind of attitude counteracts the efforts that are designed to ensure Animal Welfare to the extent that a third-party accreditation or inspection might result in higher compliance rate which is dubious as the peer-reviewed study has found.

The USDA risk-based inspection program already results in reduced inspection frequency. Under the current program, compliance history is

considered and results in research facilities are inspected as infrequently as once annually and other regulated facilities are inspected as frequently as once every three years. This is not enough. Congress, of course, and others have repeatedly underscore the strong public interest on retaining the Animal Welfare Act. The senators all explained sponsoring critical amendment to the act. It aims, “to ensure the public’s adequate safeguard their employees to prevent unnecessary abuses and that everything possible is being done to decrease the pain of animals during experimentation and testing.” Without frequent [0:26:09 inaudible] unannounced inspection and publicly-available reports of such inspections, this crucial assurance is lacking.

Already, the USDA is stumbling on this responsibility between severely redacting the majority of inspection reports and reducing the number of inspections that they conduct and citations that they issue. Analysis of the agency’s inspection reports over the last six months reveals a steady decline in the total number of inspections conducted and even a deeper drop in the number of citations issued.

While one would want to rely to believe that this might be because compliance has increased, the evidence indicates otherwise. It reveals that USDA is not inspecting frequently enough and is failing to document all violations on publicly-available inspection reports and instead cuddling industry by referring to many violations “teachable moments,” that are kept secrets on the public. Teachable moments were a concession to vocal minority from the regulated community and further reducing inspection frequency will be the same thing. This minority does not need [0:27:07 inaudible] to them and doing it will cause animals, the public and other regulated entity to suffer and do things that congress wishes. If, however, the agency decides to move forward with this ill-advised proposal, we request that PETA be authorized--

Melissa: Caller, you have 30 seconds left for your statement.

Frances: Okay. We request that PETA be authorized to provide third-party accreditation and inspection services. Unlike industry-based group that are pegged with inherent [0:27:32 inaudible] conflict of interest, PETA’s mission is aligned with the core purpose of the AWA ensuring the humane care and treatment of animals. We have obtained well-trained veterinarians, behaviorists and other experts that stand ready. Thank you.

Melissa: Moving on to the next comment. Caller, please state your name and affiliation and comment.

Jenny: Yes. Hello. This is Jenny Lintz. I am director of the Puppy Mills Campaign at the ASPCA. It is entirely clear what problem APHIS is trying to solve through considering the use of third-party programs. We are assuming APHIS is

acknowledging that there are too many facilities who are operating outside the compliance with the Animal Welfare Act and that the consideration of the use of the third-party programs serves as recognition that APHIS's current system has been insufficient or ineffective at bringing licensees into compliance.

We appreciate the opportunity to comment on the current suggestion that some hypothetical private company could do a better job determining whether a facility is complying with the Animal Welfare Act than APHIS's own inspectors. But we are opposed because there is virtually no detail regarding how APHIS might work with the third party.

It is challenging to substantively respond to the questions one through four. If it is a factor to consider as part of a risk-based system, as was indicated at the top of the call, APHIS should disclose how they currently determine frequency of inspections, which facilities are categorized at the various risk levels and what impact a risk-based system has had on improved compliance so far. We are also unaware of any company that currently provides anything approaching a robust, uniform, independent, transparent welfare inspection program that commercial breeders participate involuntarily or any program that has any meaningful enforce their powers.

We believe one way to improve compliance without the development of any additional scheme is for USDA to share the inspection and enforcement histories of licensed and regulated entities. That basic measure could surely incentivize compliance as we assure retailers for instance might choose to only do business with those dog breeders who have not violated the Animal Welfare Act. In fact, APHIS knows publicizing violations could serve as a deterrent to violations because they said so in 2010. Therefore, we encourage USDA to strongly consider how their actions over the past 12 months, specifically their decision to remove enforcement records and redact inspection reports have served to undermine compliance. Thank you.

Melissa: Moving on to the next comment. Please state your name and affiliation. Please go ahead.

Monika: Hi. My name is Monika Lanco. I'm a volunteer for the Humane Society of the United States. Like most people on this call, my main concern is the proposed third-party inspection program will be outsourced to industry organizations. One example is this deceptively-named organization called the Zoological Association of America, which is something of a front for the exotic animal industry in roadside zoos. Outside sources estimate that there are as many as 2,000 roadside zoos and having ZAA inspect the facilities will give these operators a free pass to keep animals in substandard facilities and to allow a bad situation to become worse.

Another example is the Association for Assessment and Accreditation of Laboratory Animal Care, AAALAC, which would be taught to do inspections for laboratories and use of animals in research. This is an industry organization and the findings of AAALAC's site visits are not made public. There are no penalties for non-compliance and site visits are infrequent and scheduled rather than unannounced providing opportunity for facilities to clean their act before the site visit team arrives.

Then, there's the American Kennel Club, AKC, which fights state and federal bills to crack down on puppy mills and profits from registering dogs. That leaves delinquent operators, a previous caller already discussed the AKC, but this group would most likely be at the top of the list to check on inspection authority of commercial dog breeding facilities under the Animal Welfare Act. Well, AKC holds the slot as a dog's champion. Law enforcement has rescued imperiled dogs from some substandard AKC-inspected facilities on numerous occasions.

A previous caller had also mentioned the failure of the USDA's past experience with delegating its animal welfare responsibilities to private inspection entities as exemplified with the industry-run enforcement system under the federal Horse Protection Act to conduct the bulk of inspections at Tennessee walking horse shows.

The answer to lax USDA enforcement and weak laws is to strengthen those efforts, not to outsource oversight and enforcement to industry. In 2017, a bipartisan group of more than 220 U.S. Senators and Representatives sent letters to key appropriations committee leaders, urging vigorous funding for enforcement, restoration of the purged inspection documents, and a crackdown on rampant abuses by violators of the Animal Welfare Act.

We shouldn't outsource enforcement to industry any more than we should put the beef industry in charge of food safety and humane slaughter inspections at slaughter plants, or allow the construction industry to oversee all workplace safety from the job. This would not lead to transparency, but rather to complete opposite. Government entities are supposed to represent the role of—

Melissa: Caller, you have 30 seconds left for your statement.

Monika: Government entities are supposed to represent the will of people it represents, not to profit industries. Thank you.

Melissa: Moving on to the next caller. Please state your name and affiliation and your comment.

Becca: Hi. Thank you for taking my call today. My name is Becca Sal and I live in Gettysburg, Pennsylvania. I just wanted to let you know that I've been researching this matter and I just really feel that relying on third parties has

not worked in so many factors of our society. So, I don't even know why you will be looking to that as a solution now. No third party has the independence to substantive knowledge or the institutional memory to conduct their responsibility under the AWA and because this third party won't be able to recognize nuance situations. Goodness gracious, third parties with commercial interest contrary to the AWA will not even recognize obvious problems or report them.

As an organization, your baseline of inspection is already willfully inadequate where I live in Pennsylvania, I can just drive for 30 minutes and find many puppy mills that have their USDA standard approval. That's disrespectful to our government for your stamp to mean nothing. If you're not able to do your job, you shouldn't go to the fox and ask the fox how often the henhouse needs to be guarded.

If you need more resources then your leaders need to take the responsibility of doing the hard work of asking for more resources. There are processes in place for that already. As a taxpayer, I am interested in scientifically-based processes and programs and not some kind of administrative use of a loaded work to just qualify. I would like to see that transparently defined. Our nation is supposed to function as a model of democracy to the world and having a cozy relationship with foxes, I mean not doing your job well in the first place and I mean no offense to the qualified men and women who are out there working so hard every day. I keep seeing that at the institutional level. I just don't think the fox should be invited to the decision-making table for decisions about chicken. Thank you very much.

Melissa: Moving on to the next caller. Caller, please state your name, affiliation and please go ahead.

Mike Bunyak: Hi. This is Mike Bunyak and I'm just a concerned citizen for the animals. Appreciate the opportunity. Wish I was there in person to appreciate that, but this is a definitely good option. I'm actually against the third-party inspections and certifications unless there is some things that you can show, be as transparent as you possibly can and say, "This is what we expect to get out of this," and it all has to be for the animals, in my opinion.

So, I'd be open to listening challenges that you have on your side, I don't mean side, but basically, I'm not aware of what you have that you're feeling if you're able to basically pass this onto others, if that's going to benefit the animals. That's ultimately my concern.

What I will share with you is I have a Biology degree. I was going to be a teacher, been in sales, loved that, but the one thing that I decided not against teaching is because I didn't think I could basically take animals and dissect them which is unfortunate because there are so many other

options and models to do so. I'll share one other one just to try to make it as real as possible. I was in an animal behavior course in college and it required six mice, you put them in this very small cage, probably I don't know 16 inches by maybe 10 inches and I was supposed to observe them three sessions, two hours per session, and I'm supposed to observe and document the number of tail rattles, the number of [0:36:40 inaudible], the number of grooming habits, the number of biting others, and this all list to show their aggression. In the beginning, these animals were complacent, they seemed to be doing okay until the reality really sat in, and they're acting out against each other. Why I share this is because even this without being pumped with chemicals, without being shut up with any kind of vaccines or any kind of stimuli, they got so agitated. I look back, and I'm just like, "Why did I even learn from that?" So, full circle coming back now, I appreciate this opportunity, but I just want people to be accountable. I'm kind of tired of just any walk of your life. If you're not accountable, say so. Get help. Find ways because ultimately, these animals need us. How many years is this thing going on and who is doing what? Be accountable. Do the best you can. If you are doing the best you can, I so appreciate and respect you. If you're not, get out of the way so somebody else can. That's all I want to say, somewhat emotional, I'm not going to apologize for that.

Melissa: Caller, you have 30 seconds left for your comment.

Mike Bunyak: No. I'm done. Thank you very much.

Melissa: I'm moving on to the next caller. Caller, please state your name, affiliation and comments.

Sandy: Hi. My name is Sandy Grambord and I'm not affiliated with an agency, but I have been involved in animal welfare professional for over 27 years. It appears that your third-party inspection system is already kind of in the works. With that in mind, I'm trying to offer some solutions to try and direct the outcome and make it something more positive for the rest of us.

In regards to question number one, "Are there other incentives that should be offered to attract participation of regulated entities in the program?" perhaps, you should consider developing a merit award system of recognizable achievement for the agencies you inspect which may increase the inherent value of the product to the consumer. Similar to the certified animal welfare approved label currently being promoted by an organization called A Greener World. That has value to me. It may have value to other consumers.

Question number five, I have a couple of comments there. Other methods—where was I? What are other methods APHIS could use to encourage facilities to achieve and sustain compliance with the AWA?

Consider training and certification of any third-party entity that would be interested in performing this work for you. Working together with National Animal Welfare agencies which already provide details, current industry shortcomings in the companion animal and food animal industries and exotic animal displays. That information is available. All those shortcomings are out there. Please incorporate them into any kind of a solution and include some training and certification of these third-party entities.

Additionally, on question number five, consider partnering with [0:39:55 inaudible] national animal welfare agencies to lobby Congress with well-written and well-sought out laws that contain real financial consequences to those agencies inspected but failed. Thank you for the opportunity to speak and I hope you find the solutions you're looking for.

Melissa: I'm moving on to the next caller. Caller, please state your name, affiliation, and comments.

Sara: My name is Sara Yassin. I work with the Human Society. I also run an anti-puppy mill non-profit. Undermining the Animal Welfare Act enforcement by putting animals at the very industries that exploit them is the wrong decision to make. APHIS would recognize certification inspection programs run by trade associations representing large commercial breeders, puppy mills. Among breeders to escape USDA inspections is the wrong decision to make. Unlike USDA inspections, third-party inspections would be announced. I have a problem with this. Would you tell a restaurant you patronize on a regular basis that you'll be inspecting them on a certain day? Wouldn't that restaurant be able to cover up any problems that may exist the day before? The answer is yes. There is no substitute for an inspection that is announced. Therefore, I am against this policy change. Keep inspections under control with the USDA, and not third parties. Thank you very much.

Melissa: Moving on to the next caller. Caller, please state your name, affiliation and comments.

Katie: Hello. Can you hear me?

Melissa: Yes. Please go ahead.

Katie: Hi. My name is Katie Sindrich and I'm not affiliated with any other organization. I am a current volunteer for two animal shelters in Austin, Texas. I do appreciate you offering the public and the industry the opportunity to join listening sessions. I've seen other departments in the USDA, FSIS for example I just started noticing comment and now, I'm having this listening session. So, I appreciate you all taking the time, your staff and your leadership taking the time to seek input.

A couple of thoughts, first and foremost, I would suggest that you all create a stakeholder group, an ongoing stakeholder group of both industry representative and individuals that are informed about the Animal Welfare Act representing animal interest and have those representatives meet with your department on a quarterly basis, both staff and leadership, to have a discussion about this and if it is implemented to make sure that it's implemented correctly.

Even if it's not implemented, you don't go to noticing comment, I think there has been many, many violations of the Animal Welfare Act by the roadside zoos or puppy mills, et cetera, over the years and there's probably been some enforcement problems and some lawsuits by groups, say the Animal Legal Defense Fund that everyone in your agency is well aware of, within your department and just to continue to have a dialog. So, you could do it quarterly, you could do it monthly, et cetera. That would be my primary suggestion related to that.

Two, I'm not in support of making these changes. I think when you see the invested see the industry engage in self-regulation whether it's the ETA or USDA that really doesn't lead to proper enforcement of current law. So, thank you very much for your time. That's it.

Melissa:

Ladies and gentlemen, just as a reminder. If you wish to ask and make a comment, you can simply press #2 on your telephone keypad to enter the comment queue. You will hear a notification when your line is unmuted. At that time, please state your name, affiliation and comment. We will be limiting comments to three minutes in duration. I will give you a notification when you have 30 seconds left to comment. After three minutes, we will move to the next comment. Once again, pressing #2 will indicate that you wish to give a comment. We do have an additional comment in queue. Caller, please go ahead.

Joan:

Good afternoon. My name is Joan Wincott. I'm a volunteer district leader with Humane Society of the United States. I'm against the prospect of the USDA outsourcing some of the general welfare act inspections. By opening up the doors to non-governmental self-interest trade groups to take over this critical function, the animals will surely suffer grievously. How come the USDA allow the profit businesses that often exploit and exhibit animals to essentially police and inspect themselves?

Handing [0:45:05 inaudible] oversight of Animal Welfare Act responsibilities to groups with ties to the very businesses they would be inspecting is wrong. These third-party companies have no authority or accountability meaning more of America's most vulnerable animals will be left to suffer in silence at the hands of the federal agency meant to protect them. Past experience has shown how it's horribly wrong an approach like this can be for animals.

Just look at the consequences of allowing third parties to inspect the size of horse soaring. Although this is illegal, this despicable and unscrupulous practice persists largely due to the USDA outsourcing inspections to industry insiders. Accountability is the only hope that hopeless animals confined at puppy mills, roadside zoos and research facilities have. Routine, unannounced inspections of federal-related animal facilities must continue to be carried up by the USDA.

In Suffolk County where I live, there has been many incidents of sick puppies being sold at retail pet stores. Suffolk County Legislature is now considering ways to strengthen local laws to better regulate pet sales. The USDA block-out of information has made the task of ensuring that source [0:46:13 inaudible] animals to pet sellers the ways to maintain in a healthy and safe manner as to New York State law extremely difficult. I started to think how many more sick puppies will make their way to puppy stores throughout the country if the task of determining APHIS inspection frequencies at regulated facilities is conducted by a third party.

To keep the public's confidence in the integrity of USDA inspections and oversight, we need the most impartial inspection process possible. That means one in which the inspectors have no financial, professional or social ties to the operations they're inspecting. Thank you for your time.

Melissa: I'm moving on to the next comment. Please state your name, affiliation, and please go ahead. Caller, please go ahead.

Peggy Grendell: Yes. Hi there. Thanks for taking the call.

Melissa: Yes.

Peggy Grendell: Thanks for taking the call. Yeah. My name is Peggy Grendell and I'm with Paws Crossed Rescue Resource. I'm speaking specifically to the inspections of breeders and breeding facilities. Regarding third-party inspections, the USDA will still have to police the agency hired to do the inspecting and fill the complaints and parcel the concerns to that agency. Once again, the fox is watching the henhouse.

I personally would be surprised if any third party interested in handling this would not have some connection in the supply chain and the conflict of interest. Just one example being, as others have noted, the American Kennel Club. Everyone of us needs to reach out to our elected officials to lead the way to put effective legislation in place to stop the commercial breeding, the factory farming of dogs, cats, rabbits and animals. This alone will make the job of the USDA be more manageable and eliminate the problems with outside contractors.

The Animal Welfare Act needs to be rewritten to reclassify companion animals and not have sentient beings being considered livestock. My

question would be regardless of who is doing the inspecting, we need to have access to those records. Everyone needs to have public access to the inspection reports or none of these does any good because it's cloaked in darkness. That's all I have to say. Thank you.

Melissa: Moving on to the next caller. Please state your name, affiliation, and comments.

Erika: Hi. My name is Erika Fleury. I'm the program director of the North American Primate Sanctuary Alliance or NAPSA, a coalition of 10 of the leading primate sanctuaries on the continent. NAPSA does not encourage a system corporate third parties to inspect facilities. The use of third parties will be difficult to manage, leaves even more rooms for human errors than the current system does, and will further remove APHIS from the facility to licenses, which is problematic and may result in blind licensing, in which the USDA license is awarded erroneously to those who do not qualify.

Specifically, questions contained in the docket referred to the potential inspective programs "qualified" but it is unclear how and to what extent they would be qualified. If APHIS is struggling internally to keep up with inspections and enforcement, it seems likely that there would not be enough resources or oversight to train the third parties in order to ensure their qualifications.

Permitting facilities to select their own third-party inspectors leaves the doors open for biases and rubber stamped inspections that will undermine the integrity of the USDA. A reduction in the frequency of APHIS inspection is not an incentive to support this program but is a deterrence. Less frequent inspections will only result in more opportunities for Animal Welfare violations to occur. Only those operating without transparency and perhaps in defense of less than perfect facilities would support the initiative to lessen the frequency of inspections.

Third party programs are not likely to be effective in practice. APHIS with its large network in federal funds has struggled to inspect facilities in a timely manner. The Global Federation of Animal Sanctuaries has been similarly overwhelmed. No single organization has been able to inspect facilities alone without missing key elements that affect animal welfare.

There are no other organization that NAPSA is aware of who might be qualified to inspect facilities on behalf of APHIS. It does not seem likely that an inexperienced and untested program of inspection would succeed where others with more resources and experiences are struggling. If APHIS does choose to rely on third party inspectors, then it's crucial to determine that inspectors have the knowledge and practical experience necessary to have a critical eye and also are unbiased toward a variety of industries.

Furthermore, in order for APHIS to verify an inspection done by a third party, the verification should not come from the facility. There should be regular and direct contact between the inspectors and APHIS. Waiting for facilities to submit their own third party inspection results will cause delays that leave windows open for animal welfare issues to persist and worsen.

The greatest opportunity for APHIS to improve the consistency and effectiveness of its programs is to not to delegate responsibilities to outsiders but instead to invest resources and strengthen existing programs to ensure they uphold the responsibility--

Melissa: Caller, you have 30 seconds left for comments.

Erika: --with which they have been tasked. It is the duty of APHIS to ensure that appropriate standards of living are met for captive animals at the facilities and licenses. The use of a third-party inspection program will compromise the integrity of APHIS and is not recommended by the North American Primate Sanctuary Alliance. Thank you.

Melissa: Moving on to the next comment. Caller, please go ahead. State your name and affiliation.

Female Speaker 3: I have decided after listening to all the comments [0:51:39 inaudible] animal rights folks that it probably is not a good idea to say name and affiliation. However, I will say I'm a director for a GFAS-accredited animal sanctuary. GFAS is the [0:51:52 inaudible] guidelines within the United States and the world for accrediting sanctuaries.

When they come out and do an inspection, it takes about 10 months in advance to prepping all your paperwork and documents. If GFAS comes out and accredits a facility, fully accredits, that facility has had perfect USDA inspections for at least five years. So, when they come out and they look at a facility, that would be the only time I would feel that a USDA inspection doesn't need to be done. However, GFAS would be required to share their notes on that accreditation, the accreditation itself and the verification that it has completely met all their guidelines, but USDA shouldn't say that facility doesn't need to be checked.

The kind of checking that I would be thrilled with having would be an open inspection. When the USDA inspector was within the region, the facility that had been inspected and passed should have the option of requesting that inspector come and do talking session. It would be a session where volunteers and staff could be present to ask the inspector from the USDA, "What more could I do? Could I do this better? Can you walk through with your experience of investigating? Can you look deeply not just at the minimum standards, but can you look deeply to see more that we could do better?"

I wouldn't want to see USDA inspectors ever not go to any facility that does not have a flawless record of prior inspections nor any facility that had an inspection done by anyone in the industry or anyone who would take. When facility has a GFAS accreditation, it's not a paid accreditation. They have to come out. They see everything. A sanctuary has to move and choose to move to that higher standard. When you read a guideline for instance on [0:54:02 inaudible], rabbits, [0:54:04 inaudible], guinea pigs, it exceeds by a hundred times the criteria that the USDA—

Melissa: Caller, you have 30 seconds left on your comments.

Female Speaker 3: I would like to see it consider as an option for highly-qualified facilities, not for puppy mills, not for roadside zoos, only true prior accredited facilities. Thank you.

Melissa: Moving on to the next comment. Please state your name, affiliation, and please go ahead.

Female Speaker 4: I already made my comment.

Melissa: One moment. Caller, please state your name, affiliation and comment.

Steve: Yes. My name is Steve Duginske. Can you hear me?

Melissa: Yes, please go ahead.

Steve: Yes. I used to work for APHIS so I kind of have a pretty good idea about what goes on. I used to work for Plant Protection and Quarantine. In fact, I made it all the way up to director in Miami and I worked at the Miami Inspection Station, et cetera, prior to DHS stepping in and taking over many of the functions at the airport that APHIS did.

I can tell you, as an APHIS inspector in the field, when I went out there and the airlines and the companies were trained, and they were in onsite training that they were doing to their staff to make sure that these things were taken care of. I can tell you that when I went out there despite all of their training, I found violation after violation after violation. I think it's a complete failure on APHIS's part that consider going to third party inspection. Being someone that has been very much involved in that, doing garbage inspections just at the airport, so I do not believe it works.

The other thing that I see is what the Tennessee walking horse, where they allowed that to be done by the industry that regulate itself. It's a complete and miserable failure. What I do think APHIS should do instead is to sit down with industry and with people like the Humane Society and other reputable animal rights organizations and maybe together they can hash out a plan or something like that that might work.

I think if you involve people on opposite sides of the aisle, you might be able to come up with a product that's better than just APHIS stepping in and trying to do this product on its own [0:56:56 inaudible] because what I found also working for APHIS for many years is that it's highly politicized. The federal government is highly politicized and basically, they take their marching orders from whatever the White House and senators in the house, and everyone in the Congress really think that they should do. I think that is definitely proven by the fact that APHIS has removed the records from its website.

So, I am totally against the third-party thing. I think industry and people like Humane Society, reputable organizations should step in and get together and come up with something that is workable for all parties. I think that APHIS should take more of a backseat role in that. Let these industry professionals come up with the answers and then APHIS can step in and maybe implement something that they can agree on that might work. That's my comment. Thank you.

Melissa: Moving on to the next caller. Please state your name, affiliation, and comments.

Semice: Hello. My name is [0:58:07 Semice Errs] and I'm from Idaho. I'm not affiliated with anyone specifically, but I do volunteer with HSUS State Council. As a taxpayer, I like to know that my money is going towards the skilled and trained government inspectors who don't have conflicts of interests and who I know will be impartial in their inspection.

I appreciate the higher level of oversight compliance and the ethics rules that govern government employees rather third-party companies who are not accountable to us, the American taxpayers. Also, the use of credit companies to do inspections raised as a concern for me about whether the AWA and applicable regulations would be consistently applied to each facility inspected.

As an attorney, I do have concerns about that consistent application of the law. Would these third-party companies enforce AWA through inspections in an uneven way or in an arbitrary way where some parts of the country or some industries function under different rules or different oversight?

I also have concerns about whether the third-party companies could be neutral and impartial in their inspections and then how they make determinations about compliance and non-compliance. Also, as a taxpayer, I feel that it's important that inspection information was being used to determine whether these companies have complied with federal law. It should be accessible to the public to the taxpayers. It does not seem that private companies site visit findings will be available to the public and then

we lose that transparency and public accountability that I think that were owed to taxpayers.

Furthermore, I think it's crucial if the site visits be unannounced in order for them to be effective as many others have mentioned. Private company inspections that were scheduled would allow facilities to prepare and hide potential violations.

I feel that the USDA has the responsibility to enforce the Animal Welfare Act and should not advocate that responsibility to third parties who are not as accountable to taxpayers. I'm particularly concern that this could result in the use of industry. Inspectors will actually oppose the AWA and the company regulations and how as taxpayers could we trust them to fairly and uniformly enforce laws that they may have previously lobbied against.

Melissa: Caller, you have 30 seconds left on your comments.

Semice: Okay. Really quickly, just as to the question that we're requested. I'll jump down to if we were to use third-party inspectors, a good criteria to consider would be how often that they would commit to doing inspections whether they would commit to doing unannounced inspections, whether they would commit to making inspection reports available to the public for review and a clearer explanation from them.

Melissa: Caller, your time is up. Moving to the next caller. Caller, please state your name, affiliation and comments.

Laurel: Yes. Laurel Desborough and I belong to several national organizations. I think that the big problem with third party would be to make sure that the inspectors were very well-informed, very knowledgeable about the variation of species that they were going to inspecting, that that would be a critical component of a third-party inspector.

In terms of making the result solution inspections available to the public, I have a problem with that. Here's the problem. Right now, we are seeing a tremendous amount of harassments of animal owners by animal rights [1:02:02 inaudible] who are going after people once they read something on a website that tells what's happening at that facility. This is not going to help the animals. What helps the animals is provide accurate information to those who have their care, to provide recommendations on what's wrong, what they're doing wrong. A good inspector should be doing that so that corrections can be made.

Many animal keepers, owners, researchers happened to like their animals and want to do what's right. But we do have cases where people are uninformed about specifics regarding the species they're working with. The other problem is some viewers cannot identify a problem and they identify things that are no problems. So, third party inspectors could be helpful, but

they would need to be very, very well-trained so that they would not be making mistakes. That's basically my comment. I will add more on the website. Thank you very much.

Melissa: Moving on to the next caller. Caller, please state your name, affiliation and comments.

Jennifer: Good afternoon. My name is Jennifer Leon. I'm director of Outreach for Big Cat Rescue, a USDA licensed exhibitor located in Tampa, Florida. I'll be responding to questions one, two, three and five.

As part of my work, I monitor inspection reports of licensees who utilize wild or exotic cats in their operation. We have tracked these inspections since 2003. Based on the records we review, at best, APHIS inspects licensees once annually. This includes unannounced inspection of facilities.

In many cases, the inspection does not occur and is noted as unattended inspection. The licensee is said to be not available to allow access and inspection of their records or property. I have seen it time and time again where the next intended inspection does not occur for another year or more. It is bewildering that the USDA will consider further reducing the frequency of APHIS inspection when the current inspection frequency is often times sufficient.

The use of third-party programs to support compliance is not the solution. Allowing licensees to effectively self-police because APHIS does not have the resources to do its job of upholding the animal welfare act announced an advocacy of the agency's responsibilities.

Third-party programs are only advantageous for licensees if they can see they're in compliance under the Animal Welfare Act. You asked what potential benefits and costs might accrue to regulated facilities who elect to use a third-party program, but what about the resource costs to the USDA for additional oversight of private third-party programs? Programs that are not obligated to provide public records and programs that have no incentive to accurately or critically report on their inspections. What cost will the agency assume by outsourcing its compliance and responsibility?

We know these programs to be ineffective. Third-party programs have failed to protect horses from soaring under the Horse Protection Act. A peer-reviewed study of USDA records showed that laboratory certified with a largest third-party accreditation firm violate the AWA more frequently than those without accreditations.

Conflicts of interest and problems with transparency are inevitable when licensees are allowed to self-police. It's unreasonable to think that any third party private groups would be impartial. Additionally, private third

parties have standards that are far different from the Animal Welfare Act standard.

Melissa: Caller, you have 30 seconds left for your comment.

Jennifer: So, the usefulness of their inspection data is minimal and should not be considered with determining the level of federal oversights.

Lastly, question number five asked what other methods could APHIS use to encourage facilities to comply with AWA. Our recommendation is simple. Fix the defects and strengthen the enforcement of the current Animal Welfare Act inspection program. Hold licensees accountable for violations of AWA instead of continuing licensing repeat violators. Thank you.

Melissa: Caller, your 30 seconds is up, and we'll move on to the next caller. Caller, please state your name, affiliation, and comment. Please go ahead.

Margaret: Hello. My name is Margaret Leonard and I am a concerned citizen. My feedback is this, animal lives are at stake. We are dealing with living beings. Subjects to abuse are neglect. Thus, policing does not work. Also, inspectors with a biased or some type of gain to be had do not work. Only frequent surprised inspections by impartial entities that, one, utilize a uniform set of established objective or requirement and, two, publish their findings for view may work. Thank you for considering my comment.

Melissa: Ladies and gentlemen, if you wish to add a comment, please feel free to press #2 on your telephone keypad to enter the comment queue. You will hear a notification when your line is unmuted. At that time, please state your name, affiliation and comment. We will be limiting comments to three minutes in duration. I will give you a notification when you have 30 seconds left to comment. After three minutes, we will move to the next comment. Once again, pressing #2 indicate that you wish to leave a comment and we do have a caller in queue. Please state your name, affiliation, and please go ahead.

Male Speaker 1: Hello.

Melissa: Please go ahead.

Male Speaker 1: Is anybody there?

Melissa: Yes, caller. Please go ahead. Moving on to the next comment. Caller, please go ahead.

Male Speaker 1: Hello.

Melissa: Please state your name and comment.

Male Speaker 1: This is—

Female Speaker 5: Hi. My name—

Melissa: Please go ahead. Okay. Right now, we have no more comments in queue. One moment. Ladies and gentlemen, please feel free to place yourself into the comment queue. You can place yourself into the comment queue by pressing #2 on your telephone keypad to enter the comment queue. You will hear a notification when your line is unmuted. At that time, please state your name, affiliation and comment. We will be limiting comments to three minutes in duration. I will give you a notification when you have 30 seconds left to comment. After three minutes, we will move to the next comment. Once again, pressing #2 will indicate that you wish to leave a comment and we do have a caller in queue. Caller, please state your name and affiliations.

Roland: My name is Roland Christoff. I'm a co-founder and the board member of the Model Agriculture Program of the United States. Model Agricultural Program of the United States had a set of standards and instructions. The inspections that we follow are done by a licensed vet of the state of the facility that's being inspected. In other words, that veterinarian is licensed. He reviews the guidelines sheet and reviews the instructions and then goes out and inspects the facility based on that review. He is liable. He or she is liable for any mistakes that are required by their oath to be honest.

To me, this is the only way you can have a third-party inspection program for USDA. I'm very, very disappointed that I see more animal keepers phoning in on these. Most of the people phoning in on these are animal rights people but all animals have rights, I agree with that. I've been an agriculturist for 65 years. My birds mean something to me. I do not raise the bird to send it out to die. I raise a bird because that bird deserves the best care in the world. Thank you for your time.

Melissa: Moving on to the next comment. Caller, please state your name, affiliation and comments. One last time. Caller, please state your name, affiliation and comments.

Male Speaker 2: I'm [1:11:20 inaudible] on the third-party inspection.

Melissa: Okay. Please state your—Would you like to give a comment, sir?

Male Speaker 2: I guess, I'm just trying more or less, trying to find out what the third-party inspection really is. I guess. I'm not familiar with it. I guess.

Melissa: Okay. We'll move on to the next comment. Caller, please state your name, affiliation and comment.

Nicole: My name is Nicole Roxas, and I am volunteer with Humane Society of United States. I wanted to thank... Thank you for the opportunity to speak about the USDA's proposal to recognize inspection that are run by third-

party programs in determining how often federal inspectors would visit facilities that have kept a wildlife under the Animal Welfare Act.

There's a growing list of sanctuary accrediting programs that vary with regards to professionalism and quality. The accreditation organizations implement inspection and schedule date in which a facility has months to prepare. This is in contrast with USDA inspections that are unannounced and not able to determine an unobscured view of what real day-to-day operations of a facility looks like.

Another point of contingency is accreditation inspections are not based on Animal Welfare standards and there could be a three to five-year gap between inspections. This would make it difficult to determine a facility's compliance with Animal Welfare Act standards.

In addition, the standards of accreditation organization can reflect as weak, unsafe and outdated practices. Although, there's a growing number of accredited programs, none of these programs should become the alternative for inspections performed by federal animal care inspectors and veterinary medical officers who are trained in interpreting the Animal Welfare Act. If anything, accreditation should complement USDA's standards not become the replacement. Thank you.

Melissa:

Once again, ladies and gentlemen, if you wish to add a comment, please press #2 on your telephone keypad. We do have a comment in queue. Caller, please state your name, affiliation and comment.

Shelly:

Yes. Thank you for listening. My name is Shelly Parson. I'm from the HSUS Indiana State Council. Because I know that individual and organizations will abuse animals to make money, the USDA must not forsake its responsibility to protect those animals. Since you told us that turning over inspections of animals in captivity to self-policing, a third-party inspection is not the answer.

Regarding the AAALAC, Association for Assessment and Accreditation of Laboratory Animal Care, we know that it is likely be tapped to do inspections for these research labs. It is an industry organization, and the site visits are already not made public. There are no penalties for noncompliance, and site visits are infrequent and scheduled versus unannounced, providing the opportunity for facilities to clean up their act before the site visit team arrives. Even so, AAALAC inspections of the Texas Biomedical Research Institute have revealed serious welfare problems in the facility, has been cited for several Animal Welfare Act violations by the USDA over the years. It still remains open and they are AAALAC-accredited. In fact, in 2015, the institution received 40 million, a five-year renewal of the federal grant, ear-marked for biomed research. This institute includes the research into [1:15:44 inaudible] various primates including baboons

and chimps marred in multiple horrendous stories of abuse, [1:15:51 Inaudible] of these intelligent animals in this facility.

The USDA must not forsake its responsibility to protect those animals who are in fact having research done on them to protect our lives, which federally granted money. Documented AKC-licensed mills keep the [1:16:10 inaudible] inhumane conditions living in 24-hour confinement in tiny sack, wired cages, unprotected from heat, cold or inclement weather with barely enough food and water to sustain life, being bred in every two cycles until the dogs can no longer physically be bred at which point they are often killed being shot to ground . The dogs often receive no professional vet care and medical care is often performed without anesthesia or proper training. There are about 10,000 puppy mills in the U.S.—

Melissa: Caller, you have 30 seconds left on your comment.

Shelly: Okay. Individuals and organizations will abuse animals, we know that the USDA must not forsake its responsibility to protect those animals. [1:17:02 inaudible] animal welfare record in turning a blind eye is not doing your job. AWA enforcement needs to be strengthened, turning over inspections of captive animals to self-policing and third party inspection is not the answer.

Melissa: Okay. Caller. Your time is up. We'll move on to the next comment. Okay. Caller, please go ahead. State your name, affiliation and comments.

Laurie: Hey. Good afternoon. My name is Laurie Rizano. I am an very concerned citizen and resident of California in addition to very active animal advocate centered on various issues such as this that has come up now. My main comment is this, one of the main key responsibility of the USDA is simply to protect the animals from cruelty and suffering. That has been administered in landmark by the Animal Welfare Act.

This policy that we're discussing today is essentially going to result in fewer and lower quality inspections when the opposite is needed. So, this is made clear to us, throughout history different examples and instances, specifically to reference one, horse soaring inspections, dog policing, was obviously very ineffective. [1:18:21 inaudible] animals through this change would be endangered and harmed, hurt, and their care would be highly jeopardized. So, my deepest concern and comment today is again the USDA has an obligation to serve the public interest. Transparency and accountability is essential for maintaining our public trust and representing the interest of the American people. In addition to obviously the countless amount of animals that are basically have no voice and are put at the mercy and livelihood of all the humans that basically that have the responsibility to care for them properly. Thank you for your time today.

Melissa: Callers, once again, if you wish to have a comment, please state your name, affiliation and comment. You can enter the comment queue by simply pressing #2 on your telephone keypad. Once again, ladies and gentlemen, if you wish to ask or comment, you can simply press #2 on your telephone keypad to enter the comment queue. You will hear a notification when your line is unmuted. At that time, please state your name, affiliation and comment. We will be limiting comments to three minutes in duration. I will give you a notification when you have 30 seconds left to comment. After three minutes, we will move to the next comment. Once again, pressing #2 will indicate that you wish to give a comment. Once again, ladies and gentlemen, if you wish to give a comment, you can simply press #2 on your telephone keypad to enter the comment queue.

Mike Tuck: Thank you, Melissa. This is Mike Tuck again with USDA. I appreciate everybody who has been on the call this afternoon, and their comments, they've been very, very useful for us. I just want to remind everybody that they can submit their written comments to [regulations.gov](https://www.regulations.gov), docket number APHIS-2017-0102. Again, thank you for your participation and have a great day.

Melissa: Ladies and gentlemen, thank you for joining this afternoon's conference. This call has concluded and you may now disconnect.

[END OF TRANSCRIPT]