

Better Collaboration, Accountability, and Regulatory Enforcement (CARE) for Animals Act ([H.R.5041](#) | [S.2555](#))

Introduced by Reps. Guy Reschenthaler (R-PA-14), Mike Quigley (D-IL-5), and Sens. Richard Blumenthal (D-CT), John Kennedy (R-LA)



More AWA enforcement tools are needed to deter violators and limit animal suffering. Animals need Congress' help!

The Animal Welfare Act (AWA) requires research facilities, exhibitors, and breeders/dealers to meet basic standards of animal care. This law is crucial to protecting over a million animals from inhumane care and treatment, yet many facilities are getting away with egregious abuses. Without strong enforcement, facilities such as puppy mills and roadside zoos have no meaningful deterrent to violating the law.

Addressing the Hole in AWA Enforcement

Congress charged the United States Department of Agriculture (USDA) with the responsibility of enforcing the AWA administratively and also directed USDA to refer serious cases to DOJ for proceedings in federal court. AWA administrative enforcement cases are likely upended due to a recent Supreme Court case, *SEC v. Jarkesy*, finding that civil penalties must be sought in

federal court because of a Constitutional right to a jury trial. Currently, under the AWA, an injunction is the only civil enforcement remedy that can be sought in federal court by the Department of Justice (DOJ) to prevent the unlawful mistreatment of animals. This bill would address the current hole in AWA enforcement by allowing DOJ to seek license revocations, civil penalties, and the use of forfeiture to seize and remove animals experiencing harmful treatment. Until this bill is passed, many violators could escape enforcement and animals could suffer.

Bringing AWA Cases in Federal Court When Animals are Seriously Impacted

USDA has a statutory responsibility to provide information to DOJ when animals are in serious danger. Within the past three budget bills, Congress has encouraged USDA and DOJ to collaborate on civil cases. This bill sets up a process for USDA to provide DOJ information on AWA violators with multiple citations where animals are seriously impacted. When DOJ assists USDA with civil enforcement, even if only a handful of animal cases are brought annually, it sends an important signal to the regulated community. For example, in 2020, the Trump Administration

Vernon Miller, dba Dutch Creek Animal Park, operates a facility with nearly 400 animals and has received an astounding 82 citations items in under two years. Among his many citations include a failure to provide adequate veterinary care; failure to comply with the veterinarian's directions for treatment of animals; failure to provide water to animals; housing animals in unsafe enclosures; failure to provide access to USDA inspectors; and a failure to provide adequate shelter to primates, including endangered species, on days when the temperature was at or below 45F.

Miller has continued to violate the AWA even after two official warnings, the most recent of which was issued in December 2023. Since his last official warning, Miller has received an additional 11 citations, yet continues to be licensed.

Unfortunately, Miller is just one of many examples where strong federal enforcement has failed to occur. HSUS/HSLF would be more than happy to share the information we have on other facilities.



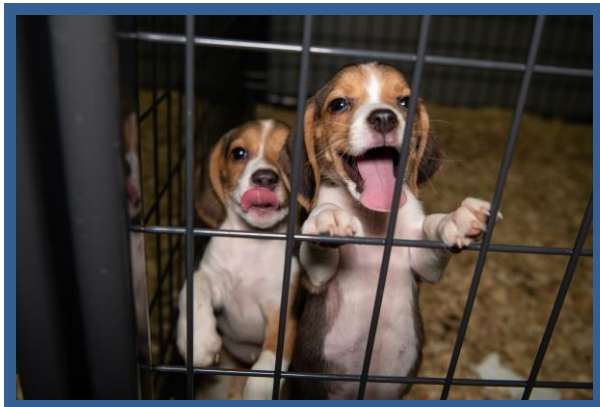
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brought a [case](#) against a big cat exhibitor (Jeffrey Lowe and Tiger King LLC) for chronic AWA and Endangered Species Act violations. The federal government seized 68 big cats, including lions and tigers, and sought civil forfeiture pursuant to the ESA forfeiture provision. This case is an important victory for deterring bad actors in exotic animal exhibitions.

Additionally, in May of 2022, DOJ filed a lawsuit detailing shocking violations of the AWA at a breeding facility owned by a company called Envigo. Government inspectors found that beagles there were being killed instead of receiving



veterinary treatment for easily treatable conditions; nursing mother beagles were denied food; the food that they did receive contained maggots, mold and feces; and over an eight-week period, 25 beagle puppies died from cold exposure. Other dogs suffered from injuries when they were attacked by other dogs in overcrowded conditions. DOJ sought action through an injunction against Envigo and a federal court enjoined Envigo from conducting activity at the Cumberland facility. Envigo entered into a [settlement agreement](#) leading to the transfer of roughly 4,000 beagles to animal adoption organizations.

The bill gives the federal government more tools to strengthen AWA enforcement:

1. **Provides DOJ with information on AWA violators:** In the past three budget bills, Congress has called for closer collaboration and improved coordination between the USDA and DOJ on AWA cases in order to strengthen enforcement. Authorizing language is necessary to maintain the recently established Memorandum of Understanding between USDA and DOJ, which enables collaboration and ensures DOJ has access to evidence needed to initiate cases **involving violators who have multiple citations that seriously affect the well-being of animals.**
2. **Provides DOJ with more enforcement remedies under the AWA:** While DOJ may currently ask courts in AWA cases to issue injunctions to prevent continued unlawful mistreatment of animals, this bill would authorize DOJ to seek license revocations, civil penalties, and the use of forfeiture to seize and remove animals experiencing harmful treatment.

Without these tools, there are limited ways to enforce the AWA. As a result, violators will continue to operate, and animals will suffer.

This legislation is currently endorsed by the National Sheriffs' Association, Association of Prosecuting Attorneys, and National Animal Care and Control Association. The Better CARE for Animals Act is also [endorsed](#) by over 80 shelters/rescues, sanctuaries, and animal protection groups.

For additional questions, please contact tmendozafarfan@hslf.org



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