



# AMERICAN KENNEL CLUB

## GOVERNMENT RELATIONS DEPARTMENT

February 8, 2024

<https://www.akc.org/legislative-alerts/u-s-congress-ask-lawmakers-oppose-harmful-radical-change-federal-breeder-regulations/>

*Club officers and Legislative Liaisons: Please forward this alert to your club members.*

A bill to allow the U.S. Department of Justice (DOJ) to circumvent USDA animal experts in enforcing federal breeder licensing and potentially undermine the current hobby breeder exemptions for USDA licensing is gaining traction in Congress.

*Your U.S. Senators and Representative need to hear from you TODAY!* Let them know you are a constituent and **ask them to not sponsor or support H.R. 5041/S. 2555**. Scroll down for details and contact information.

**About the Bill:** [H.R.5041/](#) [Senate Bill 2555](#), the so-called “Better CARE for Animals Act”, circumvents enforcement of dog breeder licensing under the Animal Welfare Act (AWA) by the U.S. Department of Agriculture (USDA) and shifts authority to the U.S. Department of Justice (DOJ). *This shift would move oversight authority from an agency staffed by animal experts that focuses on improving animal husbandry; and instead place it with one with little or no animal expertise that focuses on violations as potential federal crimes.*

The bill would also empower the DOJ to file charges, seize animals and impose penalties regardless of whether USDA has determined or even alleged that there has been a violation of the Animal Welfare Act (AWA).

*Additionally, the measure could potentially undermine or remove current exemptions from licensing for small hobby breeders, thereby requiring them to be licensed and comply with USDA standards.*

**Your Representatives in the U.S. House and Senate need to hear opposition to this bill TODAY!**

Visit AKC’s Legislative Action Center at [www.akcgr.org](http://www.akcgr.org) and type your address in the “Find Your Elected Officials” box to find out who represents you and get their contact information. ***Please call or email their offices today.***

Use the talking points below when reaching out to them.

**Talking Points:**

- Explain you are a constituent.
- Ask them to oppose H.R 5041/S. 2555, the so-called “Better Care for Animals Act”.
- Tell them it will do precisely the opposite of its name by removing crucial animal experts from the chain of animal welfare oversight. Removing subject matter expertise will undermine both animal care and enforcement of violations.
- DOJ does not have staff, veterinarians or experts in animal husbandry and behavior that are experienced in evaluating AWA compliance or enforcement.
- Rather than creating more efficiency, HR 5041/S 2555 create redundant and potentially conflicting authorities and jurisdictions. This will cause greater bureaucracy and expand the backlog of cases at the DOJ.
- Removal of exemptions for de minimis activity such as hobby breeders will also create greater strain on the limited resources of federal agencies charged with AWA oversight of professional breeders.
- The measure is unnecessary as the USDA already can and does seek assistance from DOJ when appropriate.
- The bills allow owners to be required to pay for the costs of boarding and care of seized animals while legal proceedings are pending, regardless of the outcome – with no provision for restitution.
- **Instead, suggest an alternate solution to address lawmakers’ animal care concerns:** Ask your members of Congress to instead support additional financial resources for USDA Animal Care enforcement, so they can appropriately enforce the requirements they already have.

For questions or more information, contact [doglaw@akc.org](mailto:doglaw@akc.org), visit AKC’s Legislative Action Center [www.akcgr.org](http://www.akcgr.org) or contact 919-816-3720.

*Background: About Federal Dog Breeder Licensing and Oversight*

Anyone who maintains more than 4 “breeding females” (a term that is undefined but is generally considered to mean an intact female) and transfers even one of the offspring “sight unseen” is subject to licensing under the AWA. “Breeding females” include any combination of cats, dogs, or other small pet mammals such as hamsters, guinea pigs, etc. ([Learn more](#)). The U.S. Department of Agriculture’s

Animal and Plant Health Inspection Service, which is staffed by thousands of animal experts, currently administers AWA licensing requirements. As part of their mission, which includes improving animal care and welfare, the agency's experts recognize performance-based animal care standards and provide expertise, training, and certification programs that benefit animals and those who care for them.