

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND ACCOUNTABILITY
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October 8, 2024

The Honorable Thomas J. Vilsack
Secretary
U.S. Department of Agriculture
1400 Independence Avenue S.W.
Washington, D.C. 20250

Dear Secretary Vilsack:

The Committee on Oversight and Accountability is continuing to conduct oversight of the U.S. Department of Agriculture's (USDA) enforcement of the Horse Protection Act (HPA)¹ and its promulgation of a final rule titled *Horse Protection Amendments* that will update USDA's standards regarding the HPA.² The majority of the final rule's provisions will take effect on February 1, 2025. The Committee initiated its oversight due to concerns about USDA's compliance with the HPA in light of recent actions at Tennessee Walking Horse shows. To further inform the Committee's investigation, the Committee requests that USDA make Dr. Aaron Rhyner, Assistant Director of USDA's Animal and Plant Health Inspection Service (APHIS), available to participate in a transcribed interview.

In a letter to USDA on August 9, 2024, the Committee initially requested certain documents and information to enable oversight of APHIS's role in enforcing the HPA. Those requests included lists of the horse shows attended by APHIS inspectors, communications between APHIS officials and inspectors or other stakeholders in the horse show industry, documents and communications relating to HPA enforcement, and documents and communications referring to or relating to a lawsuit against USDA.³ To date, USDA has produced only limited documents in response to some of the Committee's requests.⁴

The HPA was enacted to prevent the cruel practice of "soring"⁵ and ensure that bad actors within the horse industry are penalized for inflicting harm on horses for a competitive advantage.

¹ See Letter from Chairman James Comer, H. Comm. on Oversight & Accountability to Sec'y Thomas Vilsack (Aug. 9, 2024).

² 15 U.S.C. § 1821 *et seq.*; *Horse Protection Amendments*, Docket No. APHIS-2022-0004 (May 8, 2024) (codified at 9 C.F.R. pt 11), available at <https://www.regulations.gov/document/APHIS-2022-0004-8793>.

³ *Supra*, n.1.

⁴ Letter from Thomas Vilsack, Sec'y, U.S. Dep't of Agriculture to James Comer, Chairman, H. Comm. on Oversight & Accountability, *Enclosure* (September 12, 2024).

⁵ "Soring" with respect to horses is defined at 15 U.S.C. § 1821(3).

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The USDA's role in enforcing this Act, largely through APHIS, is not only a matter of legal compliance but also of ethical responsibility. It is imperative that USDA enforces HPA in a manner that is fair, consistent, and within the bounds of its statutory authority. The Committee is concerned about USDA's compliance with the HPA, particularly considering allegations received by the Committee of arbitrary enforcement, lack of due process, and potential retribution against horse trainers and owners by disqualifying horses or changing inspection procedures at the last minute as retribution for filing a lawsuit.⁶

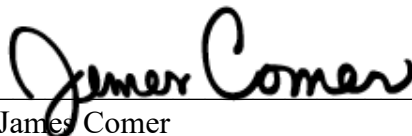
Oversight of USDA's enforcement of HPA in this matter is necessary to ensure that the Department is not only upholding the law but also acting in a manner that is fair, consistent, and transparent. The Committee's role in this oversight is to safeguard the integrity of HPA's implementation and to protect the rights of those within the horse industry who depend on fair and consistent enforcement of the law as Congress intended. As such, the Committee requires information in the possession of USDA in pursuit of its legislative purposes outlined above.

To obtain additional information to inform its investigation, the Committee is requesting a transcribed interview of Dr. Aaron Rhyner, the Assistant Director of APHIS. The Committee understands that Dr. Rhyner plays an important role in the decision-making process regarding the promulgation of the final rule, as well as implementation of the inspections and enforcement program implementing the HPA. It is imperative that the Committee hear directly from Dr. Rhyner to understand USDA's approach to HPA enforcement and any related policy changes.

To schedule the transcribed interview or ask any related follow-up questions, please contact the Committee on Oversight and Accountability Majority Staff at (202) 225-5074 no later than October 22, 2024.

The Committee on Oversight and Accountability is the principal oversight committee of the U.S. House of Representatives and has broad authority to investigate "any matter" at "any time" under House Rule X. Additionally, House Rule X charges the Committee with legislative jurisdiction over the "[o]verall economy, efficiency, and management of government operations and activities."

Sincerely,



James Comer

Chairman

Committee on Oversight and Accountability

⁶ See *supra* n.1.

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cc: The Honorable Jamie Raskin, Ranking Member
Committee on Oversight and Accountability