

The Animal Welfare Accountability and Transparency Act

Summary: The Animal Welfare Accountability and Transparency Act will require the USDA's Animal and Plant Health Inspection Service (APHIS) to keep and make publicly available information about entities that violate the Animal Welfare Act (AWA) or the Horse Protection Act (HPA).

The bill also prevents businesses found to have committed a civil or criminal violation under the AWA or the HPA from claiming an accelerated depreciation tax benefit for five years.

Why this bill is important: This bill requires APHIS to make AWA and HPA inspection reports accessible to the public. Transparency is critical for consumer knowledge, as well as to help law enforcement officials track and understand trends in violations. This information creates transparency in puppy mill operations, as well as for businesses that use animals for breeding, research, and testing.

In addition, the bill takes away certain tax benefits for businesses that are found to be in violation of the AWA or HPA. Currently, companies can write off the value of breeding and working animals on their taxes using accelerated depreciation, and they keep that preferential and valuable tax benefit even if they violate animal cruelty laws. The bill prohibits businesses found to have violated AWA or HPA from claiming accelerated depreciation for tax purposes, holding companies accountable for violating the law.

Background: On February 3, 2017, APHIS removed information from its website related to oversight and enforcement of the AWA and HPA, including animal inspection and licensing reports for more than 9,000 licensed facilities that use animals, including commercial dog breeding operators, animal research labs, roadside zoos, and horse show participants. Since 2009, APHIS has made this information public to increase transparency and hold violators of these animal cruelty laws accountable. This information is now hidden from the public, and only available through a Freedom of Information Act Request.

Under current tax rules, the costs of breeding and working animals are treated the same as machinery and equipment, and businesses may deduct these costs from their taxes over a specified period. The tax code provides incentives that encourage businesses to invest by accelerating this write-off period.

The Animal Welfare Accountability and Transparency Act would prohibit any business found to have committed a civil or criminal violation under the Animal Welfare Act or the Horse Protection Act from claiming certain tax incentives for five years. This prohibition starts in the tax year a civil or criminal violation occurs.