

United States Senate

WASHINGTON, DC 20510

COMMITTEES:
ARMED SERVICES
BANKING, HOUSING, AND
URBAN AFFAIRS
SELECT COMMITTEE ON
INTELLIGENCE
VETERANS' AFFAIRS
INDIAN AFFAIRS

January 13, 2025

The Honorable Thomas Vilsack
Secretary
United States Department of Agriculture
1400 Independence Ave. SW
Washington, DC 20250

Dr. Michael Watson Administrator
Administrator
Animal and Plant Health Inspection Service
4700 River Rd. Riverdale
Riverdale, MD 20737

Dear Secretary Vilsack and Administrator Watson,

I am concerned about the recent implementation of the U.S. Department of Agriculture's (USDA) Electronic Identification (EID) rulemaking. While USDA initially committed to providing EID tags for covered livestock, animal health officials have failed to allocate the necessary infrastructure.

Shortly after the rule went into effect on November 5, 2024, veterinarians began reporting an EID tag shortage. Unfortunately, producers are now being forced to grapple with an unfunded mandate. Farmers and ranchers are also concurrently dealing with high input costs and a worsening trade deficit.

As you are aware, the cattle industry has remained sharply divided over USDA's EID rulemaking. While producers raised various concerns about the new regulations, potential costs remained a significant point of contention. In several USDA documents, animal health officials indicated EID tags would be made available to producers at no cost. USDA's inability to supply necessary tag infrastructure has made producers even more skeptical of the new animal disease traceability (ADT) regulations. This is especially true in areas with a high concentration of cow-calf production, including the northern plains.

The federal government has taken steps in the past to avoid unfunded mandates. After earlier ADT regulations required tags to be visually readable, the federal government supplied the necessary tags at no cost. To alleviate the concerns of many livestock producers, Congress acted to address the price of the rulemaking. In the Fiscal Year (FY) 2024 spending measure, Congress directed USDA to spend no less than \$15 million on EID tags and related infrastructure. Despite the efforts of appropriators, animal health officials have failed to make EID tags readily available to producers of covered livestock, exacerbating skepticism and opposition to the ADT regulations across the livestock industry.

Given these circumstances, we urge USDA to suspend the enforcement of the new requirements under the EID rulemaking. In addition, we request a detailed explanation as to why USDA has not complied with the congressional directive to supply EID tags and infrastructure.

Our American ranchers work hard every day to produce the highest quality beef in the world while contending with unpredictable markets, rising input costs and extreme weather. It is unreasonable to subject American producers to this unfunded mandate.

I look forward to your prompt response.

Sincerely,

A handwritten signature in blue ink, reading "M. Michael Rounds". The signature is written in a cursive style with a large, stylized "M" and "R".

M. Michael Rounds
United States Senator