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April 1, 2024

The Honorable Tom Vilsack
Secretary
U.S. Department of Agriculture
1400 Independence Ave SW
Washington DC 20250

Dear Secretary Vilsack,

My office has become aware of reports documenting substantial violations of the Animal Welfare Act (AWA) taking place at a USDA licensed facility in the fourth Congressional District of Minnesota. I write to elevate these concerns within your office and to ensure that this case is investigated fully and treated as an utmost priority by the USDA Animal and Plant Health Inspection Service's Animal Care division.

The Animal Welfare Act sets minimum standards for the care of warm-blooded animals being exhibited to the public. USDA regulations require that all animals be handled as expeditiously and carefully as possible, in a manner that does not cause trauma, overheating, excessive cooling, behavioral stress, physical harm, or unnecessary discomfort, and prohibits physical abuse (9 CFR 2.131(b)) and, during public exhibition, be handled so there is "minimal risk of harm to the animal and to the public, with sufficient distance and/or barriers between the animal and the general viewing public so as to assure the safety of animals and the public." The USDA is responsible for enforcement of the AWA, establishment of relevant regulations, and annual inspections of all licensed facilities to ensure compliance.

The primary Congressional intent of the AWA is to ensure these licensed facilities provide humane care and treatment of the animals under their care, but it also requires those animals to be "free of any infectious disease or physical abnormality which would endanger the animal(s) or other animals or endanger public health." The facility that I am reaching out to you about appears to be regularly endangering both the animals in its care and members of the public who interact with these animals.

SeaQuest Roseville is one of seven interactive aquariums licensed to SeaQuest Holdings, LLC with licensure approved through October 2025. Each location has a variety of species, both cold and warm blooded, used for exhibition and customer interactions.

Recent investigations by ABC News¹, cite reports from former employees of SeaQuest Roseville (Roseville, MN) that detail severe violations of the AWA. Reports detail an alarming and consistent lack of distance and boundaries between the animals and the customers, directly contradicting the aforementioned USDA regulations. This business model endangers public health, exposing visitors and employees to zoonotic disease transmission through contact with, and bites from, unvaccinated wildlife. In one example, when directed by their veterinarian to cease public interactions with otters until they were rabies vaccinated, SeaQuest continued these interactions in direct violation of the AWA.² This report, among others, demonstrates the absence of appropriate authority for the attending veterinarian to ensure the provision of adequate veterinary care as required by the AWA.

It is clear from the AWA violations described in these reports that SeaQuest is not an honest partner in working with USDA. Either USDA Animal Care inspectors have been informed of the reported occurrences or intentional action is being taken to obscure facts from federal oversight. If the latter, this is in clear violation of 9 CFR 2.11 and those having made false or fraudulent statements or having provided false or fraudulent records to USDA inspection agents are not eligible for new or renewed USDA licensure. Furthermore, these actions also make SeaQuest subject to license suspension or revocation under 9 CFR 2.1(b).

The USDA licensing process allowed SeaQuest, originally holding a single license with multiple locations, to obtain separate exhibition licenses for their facilities in 2022, diluting enforcement power in the face of chronic violations across those facilities. This was after the USDA cited SeaQuest Trumbull (CT) in February 2022 for a young child being scratched the face by a kinkajou and, only two months prior, USDA had cited SeaQuest, Layton (UT) for two separate incidents of guests having been bitten by a kinkajou and a small-clawed otter³. Allowing the seven SeaQuest facilities across the country, which share one corporate owner and a uniform business model, to be independently licensed in this manner makes it more difficult to hold the owner responsible for these repeated systemic failures.

The USDA's Animal and Plant Health Inspection Service (APHIS) plays a vital in safeguarding animal welfare. However, limitations in enforcement of the AWA by APHIS is allowing facilities, like those run by SeaQuest, to flagrantly violate regulations while retaining USDA licensure to own and exhibit wild animals.

¹ [Internal records raise questions about safety of animals, guests at SeaQuest - KSTP.com 5 Eyewitness News](#)

² [Sloth Bit Guest In Roseville, PETA Says In Complaint Over SeaQuest | Woodbury, MN Patch](#)

³ [Inspection Reports \(site.com\)](#)

The USDA is doing essential groundwork as it prepares to issue a rule on “Wild and Exotic Animal Handling, Training of Personnel Involved With Public Handling of Wild and Exotic Animals, and Environmental Enrichment for Species.” I expect that the Department will expeditiously collect public input, with a particular effort to hear from animal welfare and health experts, and finalize this rule.

In addition, I strongly urge the agency to propose a rule to regulate the welfare of cold-blooded animals, such as reptiles and sharks. While cold-blooded species are not explicitly protected under the Animal Welfare Act, this does not prevent USDA from taking action to extend welfare protections to these vulnerable species. I strongly support APHIS Animal Care team’s implementation of protections to additional species, and I urge the agency to submit higher funding requests for this office if it is necessary to achieve this goal.

As the USDA-APHIS-Animal Care team investigates the SeaQuest facility in Roseville, Minnesota and others under the same ownership across the country, I request updates and welcome additional feedback about how Congress can support the agency in its responsibility to protect public health and animal welfare.

Sincerely,



Betty McCollum
Member of Congress

CC: Jenny Moffitt - USDA, Under Secretary for Marketing and Regulatory Program

CC: Dr. Michael Watson – USDA, Animal & Plant Health Inspection Service Administrator