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**Congress of the United States**  
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The Honorable Thomas Vilsack  
Secretary  
U.S. Department of Agriculture  
1400 Independence Avenue, SW  
Washington, D.C. 20250

Dear Secretary Vilsack,

On January 19, 2023, the Animal and Plant Health Inspection Service (APHIS) issued a proposed rule titled “Use of Electronic Identification Eartags as Official Identification in Cattle and Bison” ([88 FR 3320](#)). As this proposal is listed on the Fall 2023 Unified Agenda in the final rule stage, I maintain my opposition to placing this centralized mandate on U.S. ranchers. I have previously expressed my concern to APHIS on this proposed rule and now write to inquire about the agency’s next steps should it be finalized despite the substantial opposition in the livestock industry.

As I have previously stated, I am opposed to placing mandates on my constituent ranchers and have serious concerns with the policy in the proposed rule. It does not address legitimate privacy concerns for ranchers and their herds, risks further vertical integration of this industry, and contains an erroneous and entirely indefensible cost estimate. Allowing this mandate to be imposed creates a slippery slope that will eventually lead to government control of ranching, a precedent seen in European nations that have already instituted animal traceability and identification requirements.

Concerned that the U.S. might be following in the footsteps of these global trends which have led to culling herds and other limitations on rancher and consumer freedom, I write to inquire about what next steps could come from your Department if this proposal goes forward. To that end I respectfully request you answer the following questions by January 7, 2024:

1. Does the agency have plans to use electronic identification (EID) eartags and the related data for the purpose of calculating how bison and cattle may impact “climate change,” including the calculation of greenhouse gas emissions, scope three emissions, or a “carbon footprint”?
2. Does the agency intend to issue any rule, guidance, or other agency action to calculate, or aid the development of calculation tools for the “carbon footprint” of either bison or cattle?
3. Does the agency intend to issue any rule, guidance, or other agency action to require U.S. ranchers to calculate the “carbon footprint” of their operations or herds?

4. Does the agency plan, intend, or otherwise reasonably foresee using the data collected from EID eartags and maintained pursuant to the requirement in the proposed rule for any purpose other than animal disease traceability?
5. In the development of this proposed rule, did the Department of Agriculture or APHIS review, consult, or otherwise model any other nation's animal identification and movement laws or regulations?
6. If this proposal is finalized, does the agency plan to promulgate any additional action that would require ranchers to report animal locations and movement, vaccination status of animals, or expand the requirements for which type of livestock require EID eartags?

The purpose of my inquiries is to understand and outline the various ways in which an EID eartag mandate could substantially curtail or constrain livestock operations in the future. As the agency pushing this mandate, it is your obligation to be fully transparent and accountable for the decisions that you make, and to disclose to the American public what enforcement tools may eventually be implemented once an EID eartag requirement is in place.

This proposed rule is a solution in search of a problem, and I am concerned that APHIS is pursuing this rulemaking while listening only to the corporations who would benefit from the policy, while ignoring the legitimate concerns about privacy, cost, and access to markets from independent cattle and bison producers. I maintain that APHIS should withdraw this proposed rule, but in the meantime request you answer these questions and provide any additional information about the agency's plans as it pertains to EID eartag and animal movement and traceability requirements.

Sincerely,



Harriet M. Hageman  
Member of Congress