



The Horse Protection Amendments Act

Introduction

Representative Scott DesJarlais (R-TN) has reintroduced the Horse Protection Amendments Act (H.R. 1338). This is the exact same bill DesJarlais introduced last year to amend the Horse Protection Act (HPA). The bill would create a single Horse Industry Organization (HIO) that would be responsible for enforcement of the HPA. This bill is opposed by the AHC.

The HPA was enacted in 1970 and prohibits the showing, sale, or transport of a horse that has been sored. Soring is an abusive practice used by some horse trainers in the Tennessee Walking Horse, Spotted Saddle Horse, and Racking Horse industry to intentionally cause pain in a horse's forelegs and produce an accentuated show gait for competition.

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The bill would establish a single HIO that would be responsible for licensing DQPs. The new HIO would be governed by a board consisting of two individuals appointed by the Commissioner of Agriculture of Tennessee and two individuals appointed by the Commissioner of Agriculture of Kentucky. These four board members would in turn appoint two representatives from the walking horse industry in consultation with the Walking Horse Trainers Association. These six board members would then appoint three additional board members.

The bill would direct the new HIO to use "objective, science-based inspection protocols" that:

- (A) have been the subject of testing and are capable of producing scientifically reliable, reproducible results;
- (B) have been subjected to peer review; and
- (C) have received acceptance in the veterinary or other applicable scientific community."

The bill would also require the new HIO to issue policies requiring any person licensed with the HIO or an immediate member of such person to be free from conflicts of interest or any association with the industry.

Ninety (90) days after establishment of the new HIO the certification of all existing HIOs would be revoked.

The AHC believes the DesJarlais bill would not effectively address the continued problem of soring in the Tennessee Walking Horse, Racking Horse, or Spotted Saddle Horse industries for the following reasons:

- Unlike the PAST Act, which prohibits action devices, chains, weighted shoes, and pads on the three named breeds, the Blackburn bill does not address action devices, weighted



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shoes, pads, wedges, hoof bands or other devices that are constructed to artificially alter the gait of Tennessee Walking Horses, Racking Horses, or Spotted Saddle Horses. Such devices are an integral part of soring and facilitate the practice in the “big lick” or performance horse segments of the walking horse industry, usually in conjunction with chemical irritants or substances.

The American Association Equine Practitioners (AAEP) and the American Veterinarian Medical Association (AVMA) have both called for a ban on the use of action devices and pads or performance packages on Walking Horses because of the role such devices play in the soring process.

- The bill does not increase fines and penalties for soring, which are currently inadequate and fail to discourage or prevent repeat offenders from continuing to sore horses.
- The bill does not prohibit the actual soring of horses and leaves in place only the current prohibition on the showing, transport and sale of sore horses.
- Despite the failure of the current HIO system, the bill would establish by statute the single new HIO of nine individuals that largely retains the current walking horse industry self-policing structure. It would also require the dissolution of all existing HIOs some of which currently prohibit action devices and pads at their shows.
- Furthermore, the USDA currently has the authority to decertify HIOs that are not adequately enforcing the HPA. Under this bill it does not appear USDA would have any recourse if the newly established HIO was failing to enforce the HPA or anyway to remove any of the governing board.

Congressional Action

The bill has 9 co-sponsors; Chuck Fleischmann (R-TN), John Duncan (R-TN), Marsh Blackburn (R-TN), Hal Rogers (R-KY), Diane Black (R-TN), Andy Barr (R-KY), David Roe(R-TN), James Comer (R-KY) and Bret Guthrie (R-KY).

The bill has been referred to the House Committee on Energy and Commerce.

AHC Position

The AHC opposes the DesJarlais bill because it would not reduce the prevalence of soring in the Tennessee Walking Horse, Spotted Saddle Horse, and Racking Horse industry and does not address most of the issues raised in a USDA Office of Inspector General Report on the HPA enforcement program. In fact it could exacerbate the situation by placing responsibility for enforcement of the HPA more firmly in the hands of a walking horse-controlled HIO.



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The AHC continues to support the Prevent All Soring Tactics Act (PAST Act) that would strengthen the HPA and prevent the soring of Tennessee Walking Horses, Spotted Saddle Horses, and Racking Horses.



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