

Mike Tuck: Good afternoon everybody and welcome to the last public meeting APHIS Animal Care is holding to gather your comments regarding the proposed regulation changes to revise and strengthen the Horse Protection Act regulations. My name is Mike Tuck, and I'm from the APHIS Center for Animal Welfare. I would like to give you a brief recap from the previous public hearings, and describe the process for this virtual meeting. We have previously held four in person public meetings. We met last month in Murfreesboro, Tennessee with approximately 300 participants, Lexington, Kentucky with about 120 in attendance, Sacramento California with about 50, and also Riverdale, Maryland with about 110 in attendance.

These meetings were only one way to get your comments on record, the public comment period began July 26, and runs through September 26. You may directly enter comments on www.regulations.gov, or utilize the link on the Animal Care web page to go to [regulations.gov](http://www.regulations.gov). The Animal Care webpage can be found at www.aphis.usda.gov/animal_welfare. This will enable you or anyone unable to attend a public meeting the opportunity to provide additional comments. Presiding over this meeting is Bernadette Juarez, who earlier this year became the Deputy Administrator for Animal Care, replacing Dr. Chester Gibbs. Bernadette is here to listen to your comments. She will not be responding to any questions or comments at this meeting due to restrictions associated with the regulatory process. In addition, your comments will be recorded, and transcription will be placed on the Animal Care webpage with a couple of weeks.

You will be called in turn by the AT&T operator to present your comments. You will have three minutes to provide those comments. The operator will let you know when you have 30 seconds left to finalize those comments. We have a lot of people on this call, so we need to limit the time in order to give people an opportunity to provide their views. The call will end at 9pm Eastern, unless earlier we have no further comments. Also please begin your comments by stating your name and any association that you may be represented. I will now turn this over to the AT&T operator for further guidance. Thank you.

Operator 1: At this time, if you would like to provide a comment, please press #2 on your telephone keypad to enter the queue. You will receive a notification, at which point please then state your name and organization once your line has been muted. I will go to the first caller. Caller, your line is unmuted.

Karen Anderson: Hello?

Operator 1: Please go ahead.

Karen Anderson: Oh, sorry, hi, my name's Karen Anderson, and I'm really grateful and excited that the USDA proposed this rule that would make significant reform to the big lick of the Tennessee Walking Horse industry, just because of all the self policing in the industry will only lead to continued corruption, deceit, and immoral business practices.

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We all know that the big lick with such exaggeration is not a natural motion and it's not normal, it's immoral and it's forced upon another being to perform what someone else wants them to. Trainers and vets and owners have also admitted that you can't have this action without the soring, for the soring practice you have to have the chains, the stacks, the pads, the chemicals, they're all part of that soring process. Violators will go so far just to teach the horses not to react to the pain that's being caused by the pads and chemicals.

I would strongly urge that the USDA should continue just with a few adjustments, and that would be at first limiting the weight of the horseshoes allowed to be used by the breeds [inaudible 00:04:09]. As should the prohibition of any shoe that covers or [inaudible 00:04:21] the sole of the hooves so that the examination of the whole sole is possible. The second one is the scar rule should be amended so the horse born either whenever the legislation is changed, that the same critical governing tissue change applied to the posterior of the pastern as applied to the current regulations for the interior.

I would also like for you to not consider alternative legislation proposed by others, as it would not really help with the soring, but actually make it worse and under the current legislation it would only continue to let those who are involved with the soring to monitor themselves. Looking at all the transcripts, it's shown that people are just concerned about profits, and I just think that there is a way to continue or to show these horses in a very humane way. I think that the USDA should make these changes so that this can happen. Thank you.

Operator 1: All right let's go to the next caller. Caller, your line has been muted.

Ester Roberts: Hello? My name is Ester Roberts. I live in Knoxville, Tennessee. I'm a lifetime member of the National Walking Horse Association and the United States Dressage Federation. I submitted a written comment on July 27, 2016. That tracking number is 1K082Z4YJVB. I also participated at the Lexington hearing. My comments are located there on the transcripts pages 72 through 74. The date of that hearing was August 10, 2016.

I'm calling today to add the comment that I strongly oppose any extension to this comment period, based on the fact that for almost half a century the Walking Horse Breeders' and Exhibitors' Association known as TWHBEA has willfully refused to comply with the Horse Protection Act of 1970. Indeed TWHBEA's current roster of directors goes in direct governance of the the organization and thus includes several individuals who have numbers HPA violations themselves. Instead of enforcing a self-regulatory rubric which they could have done over the last 46 years, to either remove from membership or at least from governance those who have HPA violations and to remove from registry any horse that has been found to be sored. It seems that TWHBEA is actually embracing soring, so I don't think they're able to self-police.

I do not think another 60 days is going to do anything but add more needless confusion to this issue. I strongly support the rules. I also concur with Ms. Anderson's recommendations to modify the rule as far as the existing weight of the shoes, no shoes covering the sole completely so that any inspections can be had, recently and completely, and that the posterior and anterior balance there in the current HPA be added as well.

I want to thank very much the USDA for crafting this proposal in response to the 2010 OIG findings, and I think very much the Tennessee Walking Horse industry will thrive once we get rid of the big lick and soring, because there's a huge demand for these gentle-gaited animals in other disciplines like gaited dressage. The problem is so many people eschew a walking horse, or the breed itself, because they're following USDF's or the USEF guidelines that do not recognize the walking horse because of this issue of soring. Once we eliminate this problem, the breed itself will be very successful. I really want to thank the USDA for allowing us to comment, and I implore you please for the horses, please do the humane thing and implement this rule. Thank you so much.

Operator 1: At this time, if you wish to be removed from the queue or if you've already asked your question or comment, please dial #2 in your [inaudible 00:08:50] keypad to remove yourself from the queue. Caller, your line has been muted.

Rebecca Jimenez: Hello, my name is Dr. Rebecca Jimenez. I live in Macon, Georgia. I'm a private person and a lifetime member of National Walking Horse Association. I've owned and trained walking horses for over 20 years. I've seen the unnecessary and cruel practices of soring first hand. I've stopped showing even my barefoot horses because I still had to watch the big-league horses suffer and endure the DQP process. My four walking horses I own are now proudly registered with NWHHA, especially to remove my financial support from TWHBEA, due to their inability and unwillingness to stop the abuse and horrific cruelty of what their trainers were doing to the big-league horses. The unnatural movements of big-league horses reflect poorly on our walking horse industry, for those of us that enjoy the natural performance of horses in trail, show, and so many other disciplines.

I support the USDA's amendment to the Horse Protection regulations, to provide independently trained and licenses DQP to inspect horses, thus relieving the HIO's of all regulatory requirements while minimizing conflicts of interest with the goal of reducing the practice of soring walking horses. I support these changes to the management of shows, sales, and auctions, and I support changes to the list of devices, equipment, substances, and practices that are prohibited under the Horse Protection Act and regulations. I support all auctions to strengthen the existing requirements and make them more protective for horses.

I do not support extending the comment period as I believe stakeholders have had plenty of time to engender either support or express their opinions on the rule changes. The biggest shame on our entire veterinary equine industry and horse industry is that we have not been able to stop these cruel practices in 46 years.

Foolishly, we assumed that the big lickers and TWHBEA would stand up for their horses and regulate themselves. Instead, their dark human nature has turned it into a caricature of what we expected, and they torture them still. I really appreciate USDA of the opportunity to express my concern and my opinions. Thank you, that's all.

Operator 1: All right, let's go to the next caller. Please go ahead.

Ron DeHaven: Hi, this is Dr. Ron DeHaven. Up until earlier this week, I've been the CEO of the American Veterinary Medical Association, and prior to that I had a 28-year career with the Animal and Plant Health Inspection Service. During that time, I spent six years in the field actually inspecting walking horses and looking over the shoulder of the industry DQPs. Subsequent to that I was the deputy administrator of animal care and had national responsibilities to the program and then ultimately to the APHIS administrator.

All of that to say that I know the Horse Protection Act and I know this inhumane, cruel practice of soring from the field all the way through policy. Unfortunately, even though the intent back in 1970 was to eliminate the practice of soring it now continues 46 years later, and I hope through regulations such as this, we won't still continue to see soring 50 years after the act was passed. I do want to congratulate APHIS for taking this huge step, and I do think that the rule, if implemented as proposed, in fact could eliminate this practice of soring.

It addresses three basic flaws. One, to the continued use of the performance pads and packages. It not only puts an abnormal stress to the ankles on the front legs, but also allows trainers to pressure sore horses by hiding objects between the pad and the sole of the foot. Second, this regulation would prohibit action devices. Those action devices only are effective when they strike a sore pastern and do nothing but encourage trainers to actually sore horses. By eliminating action devices, we can not only eliminate one of the prime motivations for soring, but also completely eliminate the scarring that we see so bad on the back of the pasterns. Third, we truly do have the fox watching the henhouse with the DQP's industry inspectors who many of which are also trainers and exhibitors themselves. Let's put that inspection in the hand of the government regulators who had no purpose other than to ensure a level playing field and eliminate this inhumane and cruel practice.

I agree with the previous speakers that any extension to this regulation could serve no purpose other than to potentially delay and at worse even keep this regulation from being implement. Let's allow these beautiful horses to perform naturally and not see [crosstalk 00:13:57] ...

Operator 1: Caller, you have thirty seconds.

Ron DeHaven: ... and not see the 50th anniversary of this law still allowing horses to be sored. Thank you. I really appreciate the opportunity to comment and look forward to a

finalization of this proposed rule.

Operator 1: At this time, if you have already answered a question or provided your comment, please dial #2 on your Telson keypad to remove yourself from the queue. Caller, your line has been muted.

Gina Garey: Hello?

Operator 1: Caller, please go ahead.

Gina Garey: My name's Gina Garey, do you hear me? Hello?

Operator 1: Please go ahead.

Gina Garey: Can you hear me?

Operator 1: Please go ahead.

Gina Garey: I don't know if I'm the one that's in line or not, but I am calling to support the rule as it is written for all the reasons stated by the callers who preceded me, who spoke very articulately to the content, the history, and the gross failure of this body to supervise, self-regulate this inhumane practice with the Tennessee walking horses. My name's Gina Garey. I am the owner and principal of Animal Behavior and Healing. I'm an equine behaviorist. I strongly oppose any extension to the comment period. It will just add to the confusion as was previously stated, unnecessarily.

It's time for this practice to stop. It's just horrific that it's continued this long and clearly the intention laid out 46 years ago was not for this to be going on any further. I also agree that the future of the Tennessee walking horse and other disciplines is bright and that they can remain a constant in American show circles in a variety of ways, allowing all of the trainers and owners to continue to enjoy representing the breed in a humane fashion. Thank you for your time, and thank you for the opportunity to provide a comment today.

Operator 1: Jennifer, please go ahead ... Jennifer, your line has been unmuted.

Jennifer: Good evening. My name is Jennifer [Loob 00:16:52] and I'm calling from Maryland in support of this proposal and to oppose any extension on the comment period. A couple of years ago, my nephews showed me a video online of a horse walking funny. It was a Tennessee walking horse, but it wasn't funny and I immediately said, "What is all this animal to be doing, that's not normal," so I looked into it and was horrified when I learned of horse soring. I thought how can this be happening in America in 2012, 2013, whatever year it was? Then I took the time to learn of the Horse Protection Act and all of the disappointing loopholes that allow this cruel practice to continue. Today trainers deliberately injure horses legs with caustic chemicals or jam painful objects into their tender soles. They apply chains around

their [inaudible 00:17:32] legs and force them to stand on heavy platform shoes; all this cruelty and unimaginable pain for so-called entertainment and a blue ribbon.

I'm extremely thankful that USDA is proposing reform to end this nonsense. Ending an industry of self-regulation is necessary and I'm glad to see the rule prohibits the use of stacks, pads, hoof pins, and action devices. This will go a long way and save horses from unnecessary pain. I'm not sure why heavy shoes were left off. I urge the USDA to add these to the list of prohibited devices. They are soring devices, and the USDA should include a limit on the weight of shoes allowed to be used, and to prohibit any shoe that is so wide it covers the sole of the hoof and prevents examination of the sole. The USDA should make this important adjustment to the proposal and to move quickly to finalize it before the end of this administration.

It is a crucial that this rule is implemented soon so that the USDA can begin to create an effective system of third-party independent inspectors for the next show season. Those who seek profit through animal abuse can no longer be allowed to [subsue 00:18:28] the system by inspectors who are just as corrupt as they are. On behalf of horse lovers everywhere, I thank the USDA for taking action and urge for a quick finalization of this rule to help stop cruel horse soring. Thank you.

Operator 1: At this time, if you have already provided a comment, please dial #2 on your Telson keypad to remove yourself from the queue. Danielle, your line is unmuted.

Danielle: Hi, my name is Danielle [Deniman 00:18:58] and I am calling from Texas in support of the USDA's rule. At first, I'd like to start by thanking the USDA for proposing this rule in support of the Tennessee walking horses and similar breeds. To replace failed industry self-policing with USDA trained and licensed inspectors, and to ban devices and materials used in illegal soring practices is a big step in the right direction. I personally found it absolutely appalling that people would intentionally inflict such horrific pain and torture, oftentimes causing constant pain all for the sake of a blue ribbon. It's time for the pain and abuse to stop, the lives of all these battered horses to be about to change, and I'm extremely hopeful that time is now. It should be now.

I, along with many others who I have talked to support the proposed rule as is and hope that it will be implemented as soon as possible without delay or without any extension to the comment period. Again, I'd like to thank and commend the USDA for this rule proposal and thank you all for your time today, and thank you for giving me the opportunity today to comment. Thanks.

Operator 1: Caller, your line is unmuted. Joseph, please go ahead.

Joe Kinnarney: My name is Dr. Joe Kinnarney and I am the immediate past president of the American Veterinary Medical Association and a practitioner in North Carolina. I'm appalled that the abusive practice of soring continues to happen decades after a federal law prohibiting it was passed. The AVMA supports the USDA's proposal because we believe the only way to prevent soring is to eliminate performance

packages, chains, and industry self-regulation. The abolishment of the current HI system, the creation of a team of conflict-free third-party inspectors that are licensed, trained, and overseen by the USDA is a fundamental step in the efforts to end soring. The fox has been in charge of the henhouse for long enough, and we need objective inspectors who are not unduly influenced by the politics and profits of the industry.

The AVMA does not believe that this regulation will prohibit the use of therapeutic supportive pads or shoeing practices in breeds outside the walking-style types as they do not result in soring. However, we would encourage the USDA to provide clarification for the horse industry regarding the use of pads, hoof bands, and foreign substances to quell fears that the proposed changes will prohibit practices that do not have a reasonable expectation to cause soring.

The AVMA supports the USDA-proposed changes with the following revisions. A shoe weight limit of 22 ounces for horses over two years of age as proposed by AVMA and AAEP in their petition to the USDA last year. Revisions to permit toe extensions within the limit of 50 percent of the natural hoof length as measured from the cornet band to the center of the front pastern along the front of the hoof wall to the wall to the distal portion of the hoof wall at the tip of the toe. The addition to the following language section 11.3 scar rule as proposed by AVMA and AAEP in their petition to USDA last year: for horses born after October 1, 2013 the entire surface of the pastern including the [inaudible 00:22:30] or pocket must be free of bilateral granulomas or other bilateral pathological evidence of inflammation and other bilateral evidence of abuse indicative of soring, including but not limited to excessive loss of hair, and must be free of uniformly thickened epithelial cells, proliferating granuloma tissue, irritation, moisture, edema, or other evidence of inflammation.

The changes to regulations proposed in this rule are only a threat to those horses who sore their horses. The owners, riders, and trainers of naturally-gaited walking horses need our support, and supporting them will help us protect the natural beauty of all breeds. Please do not grant any extension of the current comment period and move quickly to finalize the rule this year. On behalf of AVMA, I say thank you to the USDA.

Operator 1: At this time, if you have already asked your question or provided your comment, please dial #2 to lower your hand. Jerry, please go ahead.

Jerry Harris: First, I'd just like to say my name's Jerry Harris. I realized years ago there was a problem in this industry, but there's no scientific proof at present that says the pads and the action devices harm these horses. If this rule-making is put into effect, it will affect several breeds, not just the walking horse, but the Saddlebreds, the Morgans, and all of them for you all to come on here and say that the pads and action devices hurt horses? You're saying it hurts them too! They train the same way we do.

To say that one breed has more talent than another is just not right, and Dr. DeHaven, if I'm not mistaken, you and the AVMA have been invited multiple times to come and look at these horses that are currently being shown. You have refused each time to come. You was invited to the celebration this year. You did not come. If you're going to pass rules and regulations, at least do it for the purpose that it was intended. There's nothing wrong with the Tennessee walking horse.

These trainers, they've worked hard to put compliant non-abused horses in the ring, and they are very well capable of showing with the pads and the action devices without being harmed. This year at the celebration, numerous times the government showed that they were not always right because they would overrule each other in their findings. One VMO would find a horse out, he would be inspected by another VMO who would pass him. It just goes to show in the past how many horses have been turned down in the past that nothing was wrong with. This is just something that the government needs to work on, but as far taking the pads and action devices ... They don't hurt horses. People hurt horses, and all breeds, not just the walking horse. Thank you.

Operator 1: Tammy, your line is unmuted.

Tammy Anderson: Hi, my name is Tammy Anderson. I'm calling from Menlo Park, California. I'm a private citizen and I'm a welfare advocate. I'll keep my comments short to allow other people to speak. I just wanted to say that I wholeheartedly support the rule. I hope it will be implemented as soon as possible without any extensions of the comment period, and thank you for your time.

Operator 1: Sandra, your line is unmuted.

Sandra Courier: Good afternoon, my name's Sandra Courier, and I'm a Saddlebred trainer and owner, breeder, and exhibitor. First, I want to say I'm completely against any inhumane acts with any horse. Along with being a trainer, I'm a member of American Saddlebred Registry, the United States Equestrian Federation, American Saddle Horse Association, American Hackney Horse Society, and United Equestrian Horseman's Association.

I also judge both here and abroad, and as a judge I'm charged with pinning an animal that's sound and happy. I must judge by the United States Equestrian Federation rules and the first rule that I must follow is Saddlebred 103, first paragraph: "The American Saddlebred has clean, rhythmic, and fluid action which is straight and true. Winging, interfering, traveling wide behind, mixing of gaits, and loss of form are undesirable." Paragraph two: "All horses must be serviceably sound. Horses must not show evidence of lameness, broken wind, or complete loss of both eyes." As a U.S. accredited judge, I must penalize, and this is paragraph seven. "To be penalized: mixed gaits, unbalanced action, pulling, leaving [hocks 00:27:40] behind, winging, interfering, traveling wide behind, or tearing sour ears."

I must pin a sound horse, and these are trotting horses. As most people know and

the veterinarians know, the trot is the golden standard for determining lameness. If a horse cannot trot, it is sore. If it is sore in the trot, which is a diagonal gait, you will see a head bob and unhappy ears. There'd be no way to show an unsound trotting horse.

We all show underneath the United States Equestrian Federation, which educates and licenses stewards and they are present at each show. They're in charge of enforcing the rule book, it's approximately three inches thick. Part of the rules also cover drug testing and horse welfare. They're very concerned and have severe penalties as needed for horses that are not treated correctly or are drugged. When this is the background, I must please ask that the USDA regulations not be passed as written and that an extension be given. These rules are vague and do not take into consideration the trotting breeds, or as they're called, exaggerated-gait breeds.

Operator 1: Caller, you have thirty seconds.

Sandra Courier: Thank you. Also that the pads that are used with these horses help them stay rhythmic and fluid in their action. They are therapeutic, protective, and help support and balance the show horse. Again, I'd like to say that I'm against any inhumane actions towards any horse and I do feel that the rules and regulations that are being proposed are vague, unclear, and need to be given an extension. Thank you.

Operator 1: Debra, your line is unmuted.

Debra Rogers: I'm Debra Hagerman-Rogers, DVM. I'm a member of the AAEP, Saddlebred Association, USEF. I've shown Saddlebreds since I was seven years old. I worked on the racetrack also. The trotting breeds need to be excluded. I have a problem with eliminating all pads. A hypothetical question: if your child was born with one leg shorter than the other, wouldn't you add leather to his shoe to equal the leg length? A lot of times the legs ... The pads are used to correct and make the feet match one horse so the pastern and hoof angle is correct, and as Sandy stated earlier, the trot is the ... The gait for lameness diagnosis. Horses do not trot if they're sore in front.

These rules need to be more defined. They are too broad, too vague. Saddlebreds will flinch if you touch their pasterns because they flinch if a fly lands on them and stuff. They're not schooled like the sore walking horses are not to flinch, so there needs to be a lot more definition to the rule as it stands. That's my main thing, is the trotting breeds need to be addressed, and the Saddlebreds need to be addressed, because we do use pads. Our horses are not sore, they cannot perform if they're sore, so there needs to be more definition to the rule. It's too broad, too vague to be enforced correctly and take care of what it's meant to do, which is eliminate the soring. That's all I've got to say. Thank you.

Operator 1: Peggy, your line is unmuted ... Peggy, please go ahead ... I'm going to the next

caller. Caller, your line is unmuted.

Maryann: Hi, my name is Maryann [inaudible 00:32:06] and I'm calling from Maryland, and I'm also a private citizen and an animal advocate. I'm calling in support of this USDA rule to stop the inhumane and cruel practice of soring. I believe this is an outdated practice that needs to be eliminated, so again I support the rule. I also feel that we don't need to extend the comment period, and that this should be implemented as soon as possible. Thank you.

Operator 1: Megan, your line is unmuted.

Megan: My name is Megan Von [inaudible 00:32:51]. I have been an exhibitor, trainer, and promoter of American Saddlebreds and Morgans. I ask that you change the wording to limit the Horse Protection Act and remove the words "related breeds," particularly those that are governed under USDF.

I also have something to say, mostly an observation, that nothing any man does with horses can be called natural. Natural would mean running wild, never touched by humans, and the fact is a wild horse cannot thrive within the parameters and climate of the modern world. The horse as a species would soon be extinct if man was not so strongly invested in its perpetuation. For many thousands of years, man has enjoyed a close relationship with the horse. As we all know, technology made the horse a hobby, not a necessity. The modern world does not need the horse.

For some of us, though, the horse pulls on our heart strings as strongly as if our survival depends on them. In the way all men are diverse, we have diverse ways of enjoying the horse. As only the horse could do, he adapts the blessings God gave him to do great many things that enrich our lives. Some use them for going over fences, as God blessed him with amazing athleticism. Some use them for combined driving, as God blessed them with great strength. Some use them for racing as God blessed him with incredible speed. Some use them for showing, as God has blessed him with pride and beauty.

The real blessing of the horse is that clearly he enjoys pleasing man with his various gifts. The uses for a horse are many, but make no mistake, the horse must have a use or he will become useless for man. If we say he cannot be used in a way that's unnatural, then we cannot use him at all. He would soon become history. Most are familiar with Black Beauty. Misuse of horses is not new, and I would argue the plight of horses has improved exponentially since they became a hobby. Let us never fail to fight for those without a voice, yet let us never confuse superiority with rightness. It is morally wrong to abuse any animal, and I would be the first to persecute one that does. Where there is man, there are those that will warp tools developed for benefit and act in the extreme, as we have seen frequently of late. Sadly it happens in all aspects of life and all areas of horsemanship. Let's not diminish the horse and the many ways man enjoys him in reaction to the wrongs of extremists. Let reason and knowledge reign over ignorance.

I'm saying that we need to remove the Saddlebreds from the Horse Protection Act because they have nothing to do with the walking horses. We do not sore our horses. They are well cared for. They're a trotting breed like Morgans, Arabians, and Hackneys. Please consider the wording. That's it.

Operator 1: Michelle, your line is unmuted.

Michelle Bisby: Yes, my name is Michelle Bisby and I'm calling from Raleigh, North Carolina. I'm on this call today because the big lick segment of the horse industry has gotten away with cruelty for too long, and in 2014 I introduced an online petition that successfully removed any big lick horse shows from the North Carolina State Fair. We had about almost 20,000 people sign that, so I think that's just evidence that the public is really disgusted with the big lick industry and it's abusive practice of soring. That's why I'm very thankful that the USDA has proposed a new rule that would end the failed system of self-policing, because it is obvious through the continued HPA violations that the industry insiders will always try to cover up rather than stop the abuse of soring of Tennessee walking horses and related breeds.

Since the USDA is only able to attend about ten percent of horse shows due to their limited resources, it's obvious that independent licensed inspectors are needed in the field. Under the current DQP program that is greatly lacking, and that's why I feel it is crucial that this rule be implemented soon so that the USDA can begin to create an effective system of third-party independent inspectors for the next show season.

Although I'm glad to see that the rule prohibits the use of stacks, pads, hoof bands, and action devices on the walking horses, racking horses, and related breeds, it's disappointing to see that there's no mention of the heavy shoes used by trainers to sore these horses on the hoof, which helps them hide the evidence of their use. These shoes are often so wide that a hoof tester can't be used to check for pain in the sole of the hoof, and the heavy shoes are absolutely soring devices. I hope the USDA will include a limit on the weight of shoes allowed to be used in these breeds, and that they will also look at the width of shoes, that they are not ignoring the soring device.

I also would hope that the scar rule would be amended so that any horse born during the year that the proposed changes are implemented and any horse born after these changes have been implemented, that the same criteria that currently apply under regulations for the anterior should also govern tissue change for the posterior. I hope that the USDA does not consider other legislation being raised by legislators such as Senator Alexander, because this other legislation is only being introduced to allow the industry to continue to regulate itself and we know that this system of self-regulation fails. I hope the USDA will see through this attempt of the big lick industry to hang on to their control, and that is also why I think the comment period should not be extended.

On behalf of horse lovers everywhere, I strongly urge the USDA to quickly finalize current proposal with the adjustments for the size and weight of shoes and the adjustment for the scar rule before the end of this administration, so we can finally stop the cruelty and abuse of soring. I'd just like to thank the USDA for this proposal and for the opportunity to speak today.

Operator 1: At this time, if you have already provided a comment, please dial #2 on your Telson keypad to lower your hand. Again, if you wish to enter the queue, dial #2. Carol, your line is unmuted.

Carol: Hi, my name is Carol [Misseldine 00:39:51], I'm calling from [Gaithersburg 00:39:53], Maryland. Thank you so much for the opportunity to comment. I'm very thankful that the USDA has proposed this rule that would make significant reforms to clean up the big lick faction of the Tennessee walking horse industry. This wonderful, gentle, beautiful breed has suffered far too long at the hands of corrupt trainers, owners, and even some veterinarians. I've seen the undercover videos and I have been sickened by them, and I am calling on behalf of those sore horses. Not only do the individual sored horses suffer unspeakable acts of cruelty and horrific pain, the reputation of the walking horse breed as well as other gaited breeds is also suffering in the public eye because of the stigma of the big lick.

The only way to end soring is to end the failed industry of self-policing and prohibit the use of all the devices that are integral to the soring process. This proposed rule does both. As has been noted by several previous callers, the rule does fall short in ending soring unless it eliminates the use of wide shoes that hide the evidence. The USDA should make this important adjustment to the proposed rule and then move quickly to finalize it before the end of this administration to help finally end this cruelty. Thank you so much.

Operator 1: Marty, please go ahead.

Marty Jacobson: Hi, I'm Marty Jacobson from Hill City, Minnesota, and I thank you for the opportunity to comment today on the proposed USDA ruling. I'm a life member of the National Walking Horse Association, or NWA as we all refer to it, and I've served on it's board as a director, and I've served on several other committees. I was an NWA-licensed judge for many years. I currently sit on the judges' committee. For the record, I have bred, trained, and shown my own sound [inaudible 00:41:44]-shod only Tennessee walking horses to the level of national grand champion status at the National Walking Horse Association. I say all that to provide some element of credibility.

I totally support the elimination of pads, chains, stands, and any other cruel methods. I also support more severe punishment for those who are found being in violation of Horse Protection Act. I do not represent the National Walking Horse Association today, but I completely support and defer to their requested changes to the USDA rule as proposed by the NWA in its statement publicly released on September 9th. If the statement has not yet been received in your office in the

USDA, it will be before the comment period ends on September 26th. I ask you to ... Like I said, I will defer to those comments. The NWHHA's proposed changes are reasonable. They hold merit, especially when considering the NWHHA's commitment to the sound horse for twenty-plus years and it's 100% on-compliance rate. I respectfully request the USDA to remove the wording as specified by the NWHHA in its statement and then to replace that wording with the NWHHA's suggested changes as supported by its included comments.

The pro-pad and chain folks have claimed that if this rule passes it will ruin the Tennessee walking horse breed beyond recovery. I strongly disagree with that. They're the ones who have done so much damage to the reputation of our wonderful breed. To get a walking horse to perform those hideous big lick gaits, begins long before the mechanical and chemical manipulations are employed. It is a well known fact within the walking horse breed, that a naturally talented or deep-gaiting, head-shaking walking horse displaying the God-given square gait with which it was born will not be acceptable as a big lick performance horse.

Those naturally-gaited horses will become too square or trotty when placed on pads, but what the big lick trainers want is to breed a pasty horse which they can artificially square up. Instead of valuing the natural signature gait of our gentle breed, they turn it into abominable caricatures. If that pasty horse still doesn't do the lick, it's sold to auction or to an unsuspecting buyer who has no clue that that horse will never perform the natural four-beat running walk. It will never do anything but pace, thereby decreasing the value of the Tennessee walking horse.

Operator 1: Caller, you have thirty seconds.

Marty Jacobson: Thank you. I have fought this battle to end the soring for as long as I've owned Tennessee walking horses, and that is in excess of 20 years now. The endless phone calls, emails, tweets, faxes, and letters to my U.S. Senators and Congressional Representatives are too numerous to count. Because of lobbying and the deep pockets of the folks entrenched in the sore horse world, none of that has been effective in stopping the practice of soring. Senators whose pockets are lined by those having influence have blocked the path to act and will continue to do so. This rule as proposed by the USDA seems to be the only chance for the Tennessee walking horse. Please passed the proposed ruling as soon as possible and please do not extend the original 60-day comment period. I thank you so much for your efforts.

Operator 1: At this time, if you have already provided a comment, please dial #2 to lower your hand. Margaret, please go ahead ... Margaret, your line has been unmuted ... Tatiana, your line has been unmuted ... Mimi, your line has been unmuted.

Mimi Brody: Hi, thank you for the opportunity to address my views and for holding these listening sessions to solicit input from the public. My name is Mimi Brody and I am director of federal affairs for the Humane Society of the United States. I won't repeat the points that my colleagues [Keith Dane 00:45:54], Marty [Irvy 00:45:54],

and Dr. Michael Blackwell, and many others have made in earlier listening sessions and this evening, all of which I agree with. I just want to comment the USDA for proposing this strong rule to address the truly heinous practice of horse soring and to note that it is clearly within the agency's authority to make these changes in its own regulations.

The reforms in the proposed rule, particularly ending the failed system of industry self-policing, and ending the use of pads, chains, and other devices that are integral to soring Tennessee walking horses, racking horses, and spotted saddle horses, are changes that we and others have been pressing the agency to make for many years. This is a case of correcting weak regulations that have for decades have been undermining the effectiveness of the federal Horse Protection Act. To prevent all soring tactics or past acts, which we strongly support, was first introduced in 2012 largely because the agency hadn't yet taken action on its own to correct these problems in its regulations. Back in 2010, in response to the USDA office of Inspector General's audit, the agency agreed to update its regulations by getting rid of the industry self-policing game that the IG noted was fraught with conflicts of interest.

USDA put the sorers on notice in federal register notices going back to 1979, that it would consider banning the devices if they couldn't clean up their own act, so this is a long time in coming. The agency has the clear authority and responsibility to address shortcomings in its HPA regulations that have impeded the effectiveness of this laws as Congress envisioned it more than 40 years ago. We commend USDA for stepping up now to do just that. I appreciate so much the hard work of Secretary Vilsack, and everyone else on your team, to bring an end to soring. I urge the agency to finalize this rule before the end of the current administration ...

Operator 1: [inaudible 00:48:09], you have another thirty seconds.

Mimi Brody: ... with no extension of the comment period. Thank you.

Operator 1: Caller, your line is unmuted.

Hugh: My name is Hugh [Bailing 00:48:28]. I reside in Simpsonville, Kentucky and I'm currently and have been practicing equine veterinary medicine for more than 30 years. I am a member of the AVMA and the AAEP. I'm a horse owner, competitor, health care provider, and a life-long defender of humane treatment and respect for our horses. My professional life has included the care of multiple disciplines and breeds involving recreational and competitive ventures.

I speak today in support of efforts to end the practice of soring. Context and implementations of [inaudible 00:49:03] and gait alteration is so contrary to my ethics, an immoral act I do not understand. Proper care and management and humane treatment of our horses can reach its desired benefits for us and our equine partners. I will state that all of my patients are trotting breeds, Saddlebreds and Hackneys make up the principal during this time. This automatically eliminates

them as candidates with soring or similar practices. A great deal of my time and efforts are directed at making sure there's no pain or extra strain put on the locomotive system. A horse must be found to be able to trot, clear and simple. It has been stated multiple times that this is the preferred gait to evaluate a horse's soundness. Trotting breeds do set themselves apart and separate themselves from breeds that are concerned with just time.

My concern for the language change to "related breeds" will set up an improper interpretation of the rule. I believe that the breeds that are under the "related breeds" or considered "related breeds" are currently showing and training under the USDF rules and regulations. Though not perfect, it's a very comprehensive system assuring humane treatment, fair competition, and continual reassessment of issues as they come off with changes made. The system's respected worldwide, has repeatedly produced a workable system for those included.

I respect the efforts of the USDA to end soring, but fail to sound reason to include related breeds in this rule proposal. Special interests may be driving the agenda, encouraging language changes that can ultimately include all horses involved in sport. We're fortunate to live in a time when horses are more than agriculture or industrial commodities to be used. We enjoy our relationship and opportunity to compete on a local and national level. This brings me to my primary concern and reason for being here today on this conference call. I do not understand why this proposal would restrict my equine patients' proper medical care and management, for the reason for this restriction resides with a few offending individuals. We're not here to debate the benefits of ...

Operator 1:

Caller, you have thirty seconds.

Hugh:

Healthcare, and medication, and therapy have been proven to be safe and therapeutic. APHIS is proposing to take proven tools away from the farrier, myself, and the owner to provide preventative medical management of our trotting breeds. Shoeing without proper pads, eliminating support bandages and therapeutic agents that have been evaluated and deemed safe to be used on [inaudible 00:51:41] ...

Operator 1:

Caller, your time is up ... At this time if you have already provided a comment, please dial #2 to lower your hand. If you wish to continue, please dial #2 to put yourself into the queue again. Jackie, your line is unmuted.

Richard C.:

Hello? Good afternoon.

Operator 1:

Please go ahead.

Richard C.:

Good afternoon, my name is Richard Campbell, and I've been a professional trainer of Hackneys, American Saddlebreds, and Morgans for over 32 years. I own and operate Majestic Oak Hackney Farm in Shelbyville, Kentucky. We have over 50 hackney ponies in training. I'm a member of the United States Equestrian

Federation, United Professional Horseman's Association, and the current president of the American Hackney Horse Society, on whose behalf I will be speaking today.

We'd first like to thank the USDA and APHIS for continuing to promote horse welfare and their efforts to put an end to the practice of soring. However, we strongly object to the language in the proposed changes in the HPA that refer to horses of the form with an accentuated gait. Hackneys, as well as Saddlebreds, Morgans, Arabians, and others trot with an accentuated movement the show way.

Our concern is that, as currently written, the proposed regulation could be construed by this or future administrations to suffice to any of these breeds of horses. If the language is not changed, Hackneys as well as the other aforementioned breeds that have no history at all of soring, will be subject to the regulations which would include the prohibition of pads, bands, and wedges in our shoeing.

These potentially prohibited tools are used our breed and countless others to help maintain soundness and add balance to the breed's natural way of moving, therefore helping to prevent injury. By taking away these tools, from trotting breeds to show horses, proponents will easily be creating an epidemic of unsound horses across all breeds. Surely USDA and APHIS would not want this unintended outcome of the application of the regulations that were ironically put forth to strengthen the current regulations and to put an end to soring. Therefore, we recommend that wherever the language "other breeds" is mentioned in the HPA is amended to read "other non-trotting breeds."

Additionally, we recommend that the language be added throughout the HPA to make clear the intention is to exclude trotting breeds with horses. In conclusion, the American Hackney Horse Society stands with other breeds as does the United Professional Horsmen, American Saddle Horse Association, the American Morgan Horse Association, in being unwilling to offer up our breed as collateral damage [inaudible 00:54:06] soring in the Tennessee walking and racking horses. Thank you.

Operator 1: At this time, if you have already provided a comment, please dial #2 to lower your hand. If you wish to ask another question, dial #2 once more to place yourself into the question queue. Matt, your line is unmuted.

Matt: Yes, I'm Matt. I'm opposed to this rule. I've been showing horses for 45 years. The USDA will say that you have one cell of damage that's caused the horse to be out on the scar rule. They're saying that if you use show shoeing, or cholesterol, any chemicals you're considered to be a sore horse. Shampoo is a sore horse, so I strongly oppose this. Thank you and have a good day.

Operator 1: At this time, if you have provided your comment, please dial #2 to lower your hand to exit the queue. If you wish to enter queue dial #2. Jennifer, your line is unmuted ... Steven, your line is unmuted.

Steve: Hello? Hello? Hello?

Operator 1: Go ahead.

Steve: Hello, my name's Steve [Whitmer 00:55:52], I'm from Illinois. I am here in support of removal of the pads, chains, and dams, but I do have issues with certain aspects of the rules and proposals. My thing is make it simple, get rid of the tools that people can use for soring, but the figures that APHIS has come up with to figure the economic impact I think are inflated, and small associations quite frankly will be priced right out of showing. Also, unnecessary regulations, horses were stewarded with certain techniques, and I think these rules need to be taken out. Horses brought up for inspection and just the halter can be a dangerous situation. Quite frankly, we can bring our horses up fully [inaudible 00:56:56], once the pads and chains are gone. Also, I think it's time for the USDA to step up and prosecute people that they have written tickets on. It's time for them to do the other part as well as we do our part. All right, thank you for your time.

Operator 1: At this time, if you have already provided a comment and wish to exit the queue, dial #2. If you wish to provide a comment, please dial #2. Robert, your line is unmuted.

Leon: Yes, first off my name is Leon [Gives 00:57:42] and I'm from Raleigh, North Carolina. I've been in the horse industry for about 15 years now. I'm a certified DQP for the Walking Horse Honors Association. I do agree there's a lot we need to do with the sore horse purposes. It needs to be across the board, not just shooting at one breed. The way the plans are with the USDA inspecting our horses at shows is going to put, the little horse associations, clubs, well they're not going to be able to afford to put on a show. My club puts on five shows. We have never had a ticket written at any of our shows, so for the USDA to step in and do the inspections will be pricy. Like I said, I'm a DQP and I'm in it for the horses, not for the money. But the right people get in, I believe we can make this work for all. I do support the path that making it across the board, just not the USDA being in charge of inspections. I still think we need our own DQPs or His for each organization. Thank you.

Operator 1: Peggy, your line is unmuted.

Peggy McCarthy: Hi, I'm Peggy McCarthy. I live in Georgia, and I'm a volunteer for the Humane Society of the United States. I own a rescue horse and I fully support the USDA's efforts to update the Horse Protection Act regulations. In my opinion, soring is essentially the criminal equivalent of cockfighting, dogfighting. Self-policing within the big lick industry has enabled corrupt trainers to hide their violations. Reform is desperately needed, as the reputation of all gaited horses is at stake. In the long term, soring financially harms the entire industry, including those who choose to follow sound methods. Shows featuring big lick have declined in attendance due to public awareness of soring, and replacing self-policing with a system of

independent inspectors who are licensed and trained by the USD the sensible reform.

I support the USDA's proposed ban on the use of stacks, pads, stands, and action devices. However, I don't think this rule goes far enough to completely eradicate soring. I call on the USDA to include a limit on the weight of the shoes allowed on breeds affected by this rule, as well as a prohibition on any shoes that cover the sole of the hoof or make it impossible for an inspector to completely examine the sole. Without this addition to the rule, trainers can evade detection by inserting painful objects into the sensitive part of the hoof, a tortuous method known as pressure shoeing. We see horses moaning in pain, lying down in barns.

Now is the time to be thorough and get this rule right. Let's permanently and completely shut down the unscrupulous practice of horse soring. As a citizen of Georgia, I'm especially concerned because horses are raised and sored within my state. In particular southern Georgia is a hotbed for soring, and I commend the USDA for its proposed regulatory changes and call on them to modify the proposed rule by including a weight limit on the shoes used by Tennessee walking horses and the related breeds. These regulatory upgrades will ensure that the Horse Protection Act can finally live up to its name after more than 40 plus years. Thank you so much.

Operator 1: At this time, if you have already provided a comment and wish to exit the queue, please dial #2 on your Telson keypad. If you wish to ask a question or wish to reenter the queue, please dial #2 on your Telson Keypad. Ellen, your line is unmuted.

Ellen: Good evening. My name is Ellen [Beers 01:02:11]. Thank you for allowing me to participate in this momentous forum. Today we're gathered together to discuss the debate with far-reaching consequences for the proposed amendment to the Horse Protection Act, and the impact not only to the Tennessee walking horse, but also to the related trotting breeds. I do not condone the practice of soring horses. My credentials supporting my commentary include being a lifetime equine enthusiast, an equine professional with over 40 years experience, including holding the following professional positions: a large R-licensed USEF judge in the Saddlebred Roadster Hackney Show, [inaudible 01:02:50] division, 12 years with coaching USEF Saddle Seat [inaudible 01:02:55], 10 years at the [inaudible 01:02:56] United States Saddle Seat World Cup Committee, past president of the International Saddle Seat [inaudible 01:03:02] Association, and nine years as the faculty and department chair of the Stevens College Equestrian Studies program where we partnered with the University of [Jerry 01:03:11] Vet School on various lameness trials.

This was a perfect partnership with equestrian schools with the donated horses to the students to learn from. Most donated horses come with soundness issues. Donated horses provide a laboratory environment for students to develop skill sets to keeping the horses sound. Graduates enter the workforce ready to manage the equine companion and equine athletes. Equestrian schools support our workforce.

An unintended consequence of the current proposal would be to hit the higher education in all equine areas. During my tenure at Stevens College, we worked very closely with Dr. [Keenan 01:03:48] at the University of [Jerry 01:03:48] Vet School to develop the equine lameness locator. The device assists veterinarians in locating specific lameness issues. We tested Quarter horses, Warmbloods, American Saddlebreds, Thoroughbreds, Hackneys, and miniature horses. All of these horses are trotting breeds. After using the lameness locator, we learned specifically where a horse is unsound. Dr. [Keegan 01:04:11] was able to proscribe specific shoeing techniques, including the pads and angles. The majority of horses across all the trotting breeds required a pad or wedge to support direct or compensatory soundness issues.

As an educator, I infuse the industry with professional talent in the trotting breed industry. Few are educated in state-of-the-art techniques and management practices for the welfare of the horse. Essential to this education was how to keep a horse sound. Soundness for our trotting breeds is the only way to have a viable business product. An unsound horse is not a happy horse, and is not sellable. I currently work across all breeds and disciplines, and own a therapeutic [inaudible 01:04:49]. I'm in the business of keeping horses sound. Our trotting breed affiliates, including our Olympic and international teams are dependent on sound trotting breed horses. If the proposed act is passed with the current language and without the trotting horses mentioned, our industry will feel the impact of the increased veterinary expense, increased sale value, closure of equine-related businesses, and [inaudible 01:05:13] programs. When the slaughterhouses were closed, horses were abandoned and donation inquiries for specific breeds. That will pale in comparison to the ...

Operator 1: Caller, you have thirty seconds.

Ellen: That will pale in comparison to the consequences brought forth by the current proposal. There are way more trotting breeds than gaited horse breeds. Careful consideration must be applied to the [fallout 01:05:36] how the rule is written and the term "related breeds" must be removed. Thank you very much for your time.

Operator 1: At this time, if you have already provided a comment, please dial #2 on your Telson keypad to remove yourself from the queue. If you wish to ask a question or wish to place yourself into the queue once more, dial #2. Lisa, your line is unmuted ... Caller, your line is unmuted ... Kim, please go ahead.

Kim: Hi, my name is Kim [McCurry 01:06:29] and I live in Atlanta, Georgia. I'm a private citizen and also an animal advocate and I would first like to thank any attendees that have already spoken in support of this rule and in support of helping the horses who cannot speak for themselves. It's pretty obvious that the majority of the public is in favor of this proposal. Therefore, I would also like to add that I support the rule and request that it be implemented without delay, and without an extension of the public comment period. Thank you to the USDA for this opportunity for myself and so many others to speak for these wonderful and gentle

animals. Thank you.

Operator 1: At this time, if you have provided a comment and wish to remove yourself from the queue, dial #2. Ashton, your line is unmuted.

Ashton: Hi, my name is Ashton [Vadelanta 01:07:18] and I am a member of the USEF as well as AMHA, and I have a Morgan mare. I wanted to talk about amendments that I'd like made to the rule or considered to the rule wording concerning section 11.22, saying that any pad, wedge, or hoof band is prohibited. I'd like to direct our attention to footnote one, which allows exceptions for Murphy bars, as they're considered corrective devices for lameness. My Morgan mare doesn't grow a heel on one foot, and this is actually pretty common among the horses in our barn. About 95 percent don't grow evenly on the heels of their feet, so we use pads and wedges to correct that in the same way an orthopedic insert for humans.

I'd also like to consider an amendment made to section 11.5, where examinations are performed before a class begins, and I would like to suggest that examinations be performed by HPIs immediately following the classes. This would still allow no opportunities for soring to occur, but it would prevent any delays of horse classes at shows. I would also like to suggest that the HPIs, rather than being employed by show management as I would feel that this would provide a conflict of interest, I would like to suggest that they be employed by APHIS. However, due to limited budgeting, I understand that APHIS may not be able to fully employ them.

I would suggest that the HIOs, which are currently paying to employ DQPs, pay a membership fee or a nominal fee to APHIS for the specific purpose of paying for HPIs. I think that the financial strain on show management to provide and employ HPIs will be too much for smaller local shows, which would be detrimental to the local community's financial benefits from showing. I think that if HPIs were employed by APHIS and paid for by HIOs, it would prevent the conflict of interest that has been found in the past, as we are still considered members and employees of the APHIS.

Hoof bands, in the same way as pads and wedges, are required in our breeds to keep shoes in place. I think clarification needs to be provided to the definition of pad. We certainly aren't trying to support performance packages. Like I said, there is a physiological need in most of our horses for pads and wedges to correct for balance and for heel growth. I would also ask that the term "substances" be further defined as being such as fly spray and show sheen are used frequently at shows, and I think that testing can still be done on those [crosstalk 01:10:40] ...

Operator 1: [crosstalk 01:10:40], you have thirty seconds.

Ashton: Thank you. I think that testing still can be done on those substances at the showgrounds. Fly spray is used predominantly for the comfort of our horses, as are lubricants. In some instances, particularly in jumping breeds, where lubricant is used to protect the horse as it's going over jumps. Thank you very much. That's all.

Operator 1: At this time, if you have provided a comment, please dial #2 on your Telson keypad to remove yourself from the queue. If you wish to enter the queue, please dial #2 to place yourself. Tatiana, your line is unmuted. Please go ahead ... Margaret, please go ahead.

Margaret Ransom: Thank you. My name is Margaret Ransom. I'm a director of the National Walking Horse Association, and also a member of the Walking Horse Owners' Association. I've been showing flat saddle horses since 1971. I'm very active in showing and in being part of show management, so I understand the stresses and costs that shows are under. It's getting harder and harder for us to afford to put on a show because of rising facility prices and decreased attendance.

As was mentioned earlier by Marty Jacobson, National Walking Horse Association did submit a letter supporting the intent of this amendment, but we have some very real problems with the implementation of it. There's been a very detailed list given to us from the annual letter. One of them is that the definition of the substance agent applied to the horse's limbs be reconsidered to make sure that that list only includes numbing or caustic agents. Some of the ... As other callers have mentioned, some of the ingredients on that list are present in fly sprays, shampoos, and things that any show horse ... Show sheen ... Anything that a show horse is going to have on them, and so horses are getting written up for non-caustic or non-numbing items.

The other thing is we have a real problem with the idea that we would be presenting our horses in a halter for inspection, and then going someplace in a [inaudible 01:13:32] warm up area to bridle and saddle them in a very limited amount of time, because the inspection has to be done two or three classes ahead of their show class. That's just a dangerous situation. I think that continuing to present them in bridles, and maybe someday even with the saddles on, would be much safer for all concerned.

We're also concerned with the cost of hiring outside HPIs. Vets and vet techs are not going to be cheap. Most of our DQPs don't do it for the money. They do it because they believe in what they're doing. For the record, NWHHA has proven that they can operate a successfully [inaudible 01:14:17] program, and I believe the Walking Horse Owners' Association also has a very successful HIA program. The statement that the industry cannot regulate itself is not completely true. There are HIAs that are doing it. I'm very concerned that the costs associated with this will probably do away with soring because they'll probably do away with shows, or at least the smaller shows. Some just won't be able to afford to continue to exist.

The National Walking Horse Association did support the removal of pads and chains, however I want to point out that not only horses with pads and chains are sored. Simply eliminating pads and chains does not eliminate soring. [crosstalk 01:15:06]

Operator 1: Caller, you have thirty seconds.

Margaret Ransom: Thank you. I would just like to reiterate the National Walking Horse Association's proposal that supported the intent, but with some real concerns about the process that's being set up in this and to see if there aren't some things that can be changed to make it more affordable and more realistic for the smaller show. We're not talking about the celebration, we're talking about a show in Michigan or Indiana or Ohio that has maybe 75 horses.

Operator 1: Caller, you have run out of time. At this time if you have already provided a comment, please dial #2 to lower your hand. If you wish to reenter the queue, please dial #2. Debra, your line is unmuted.

Debra Rogers: Debra Hagerman-Rogers, DVM. I spoke earlier and one thing I intended to mention was the scar rule. My mare stepped up on her front foot as a four-year-old and ended up being off for six months, and has some granulation tissue related to that injury. That needs to be addressed, because some scars are not intentional, they're not caused by soring, they're something from an accident. She has a significant scar on one heel from that injury, so that needs to be addressed, that not all horses with scars have been sored. They can occur from an injury. Thank you.

Operator 1: At this time, if you have already provided a comment and wish to exit the queue, please dial #2 on your Telson keypad. Once you have done that and wish to reenter the queue to provide another comment, please dial #2. If you're a new caller and would like to enter the queue, please also dial #2. Debra, your line is unmuted ... Cliff, your line is unmuted.

Cliff Paulson: Hello, my name is Cliff Paulson. I'm a veterinarian in Cedar Falls, Iowa, and a lifelong Saddlebred exhibitor, breeder, promoter, and veterinarian, member of AAEP and AVMA. I would like to start by stating that no one here would disagree that the practice of soring needs to stop. This is on gone on long enough and there needs to be an end. In the same token, the wording of this proposed legislation, though, leaves itself to much interpretation.

When I first read the proposal, it struck me that this will limit the use of pads and wedges in good shoeing practices and therapeutic purposes. The vague interpretation moving forward leaves itself to not allowing horses to comfortably do their job. Not being able to put a wedge on a horse with an evicular problem could keep them in constant pain. A horse that is unable to grow adequate heel or has a brittle foot would not be able to perform a job. I have one show horse that trots with such momentum he will crack a wedge every second shoeing. Without the support and angles that pads allow him, and a hoof band to hold on his light shoe, we would then worry that he would injure himself from moving. While pads, wedges, and hoof bands have become the poster child for the soring of a horse, these are not the cause. They're intention is to help the horse and their foot.

The "related breeds" statement allows from this information to be spread and the

trotting breed horses, namely Arabians, Saddlebreds, Morgans, and Hackney ponies to be attached to the practices that we do not ascribe. Trotting breed horses cannot do the job unless they are sound and correctly shod. While we are talking of the saddle seat breeds mainly, the wording in this bill will move over into every horse industry. Please do not take away the ability for us as trainers, veterinarians, and exhibitors to keep our horses and clients' horses sound and healthy.

Clarification of the wording of the bill and exclusion of related breeds needs to be addressed before this is passed. As a member of the veterinary community, I feel that adequate time was not spent looking at the wide impact this rule may have on the entire equine community, and thus an extension may be in order. Thank you for listening to my comment.

Operator 1: At this time, if you have already provided a comment and wish to disconnect or exit the queue, please dial #2. Once you are exited and wish to reenter the queue, please dial #2. Caller, your line is unmuted.

Piper: Hi, good afternoon. My name is Piper [Kressel 01:20:02]. I'm a volunteer district leader for the Humane Society of the United States and I'm calling in from California. In my lifetime, both family members and myself have had the opportunity to own and care for horses, and during that time their welfare and care were always at the top of priority list. We spent many hours avoiding any activity that would put them in harm's way.

The idea that adding anything to their legs and feet that would hurt them would have been unthinkable, and that would be regardless of any entertainment venue. While I'm not an expert on walking horses I am an expert on knowing what I see, and when I see undercover videos and pictures of the wounds, the blood, and the lameness caused by these unneeded applications to a horse's legs and feet, I know that soring is cruel and must stop.

To that end, I am in support of this rule and would like to see it implemented without delay and without extension of public comment. I know that there are many people waiting to speak, so I will keep it to that, and I want to thank you for the opportunity to lend voice to the horses and their welfare.

Operator 1: At this time, if you have already provided a comment and you wish to exit the queue, please dial #2. If you wish to enter the queue, please dial #2 and then state your name once your line is unmuted ... Caller, your line is unmuted.

Bob Roach: Bob Roach.

Operator 1: Please go ahead.

Bob Roach: Yes, I'm Bob Roach from Kentucky, and what I would like to address is that first of all I am opposed to the new rules and regulations. There's two major concerns that I have. Number one is that we continue to hear about the 46 years that the horse

has been abused, yet the United States Department of Agriculture has been in oversight over the [inaudible 01:22:16] of walking horses for all 46 of those years. Yet they have come up with no objective form, and as many of you know, objective means facts and subjective means feelings. As a law-abiding citizen, I certainly think that I should be able to sell my Tennessee walking horse with tools that have been proven with facts to be a lawful and not hurt horses.

The second thing that I want to address is the ... While I certainly would defend the trotting breeds to my last breath, because I think they certainly have the same rights, I find it a little bit unusual that they have decided that they want to include only trotting horses as sored, excluding them from these rules. I would certainly think that they would want to fight for those rights for us. I do thank you for this listening session, and I hope you will make the decisions that are objective and will protect the rights of law-abiding citizens. Thank you very much.

Operator 1: At this time, if you wish to exit the queue, please dial #2. If you wish to enter the queue, please dial #2. Caller, your line is unmuted.

Jim Heiting: Hello? Hello?

Operator 1: Please go ahead ... Please go ahead ... Caller, please go ahead.

Jim Heiting: This is Jim Heiting, I'm the current Tennessee Walking Horse Association of California president and a member of the board of directors of Tennessee Walking Horse Breeders and Exhibitors Association. I do have padded Tennessee walking horses in my stable. Let me be very clear, we in the strongest terms condemn the soring of horses to enhance performance or for any other reason.

However, objective testing of a nature that is scientifically reliable, and that would mean prosecutable in court and not subjective or individualistic. It must be developed immediately. The current testing is subjective and fails in every way to meet objective or scientific reliable studies. In regard to this scarring rule, the scar rule, in the last year when I went to the celebration in Tennessee, one of my horses was rejected for the scar rule. I participated in a study. We had three incredible veterinarians from three different institutions that were without question of impeccable character and credentials. In those lab studies, they did biopsies on 94 horses that were rejected for scar rules. 94 of those horses had no evidence whatsoever of any scar, and when the studies were completed. 94 horses were rejected, 94 horses had no scar. The subjective tests that are used by the USDA to support this ideal of a rule change are just not scientific.

I also wanted to mention that in hearing of these other breeds, I do want to comment that this must apply to all horses. If you're going to make a rule change like this and you apply it to the Tennessee walking horse, which I believe is a harmful change and will affect the industry and horses in general throughout ... It must apply to all horses. It must apply to all breeds, so no chains, no action devices, no bands, no pads to all breeds if you're going to do it to the Tennessee walking

horses. If your ideal is to avoid soring, then your ideal is to avoid soring on all breeds, not just the Tennessee walkers. However, you do realize that the action devices, the pads, the chains do not contribute to the soring, and that has been a scientific study. Scientific studies [crosstalk 01:26:54] ...

Operator 1: Caller, you have thirty seconds.

Jim Heiting: Prompted by the USDA, the actual goal is to ending unnecessary cruel and inhumane practices of soring by helping to ensure the horses present and participate in a free and complete gait. That is not avoided by the use of action devices. I appreciate your time. I think that there are many things that you could do, but most of them would be involved with scientific studies and objective findings in regard to testing. Thank you.

Operator 2: All right, let's go to the next caller. As a reminder, if you've already offered your comment, please dial #2 to remove yourself from the question queue. If you would like to ask a question or comment, please dial #2 to enter the question queue. Caller, your line is unmuted. That would be Holly.

Holly Schroeder: Hi, my name is Holly Schroeder. I am a very proud owner, breeder of the Tennessee walking horse. I would like to say first off that I am very vehemently opposed to this rule being passed. It is based on a bunch of serious misinformation that has been promulgated by the media, promulgated by people that are uneducated with regards to the proper use of pads, chains, and action devices. I predominantly have a stable full of show horses that are flat shod, but I also have two very notable, very recognized padded performance horses. I also have two other padded performance horses in training, young colts coming in the ranks.

I can tell you I have been a victim of this horribly subjective system that we are under with the government, as the current rules state that we must be. I have had ... My horses have had tickets. I have immediately taken these horses to three different veterinarians, had them fully examined to make sure that my trainers were not doing something I had completely ordered them not to do. All of my trainers know, the first thing that they're told when I bring a horse to them, my horse must be honest. My horse must be natural, and my horse must be sound.

I have fired a trainer one time that I did catch soring my horses. I'm not afraid to do that. I am probably the only owner, certainly the only owner in the last few years of modern times that has actually sued their trainer and won for abusing a horse, so yes, I am not afraid to stand up to horse abuse. I will not tolerate it. The Auburn study was done and was proven that pads, chains, and stacks as they call them do not sore horses. What sores horses is the illegal use ...

Operator 2: Caller, you have thirty seconds.

Holly Schroeder: False trainers, bad trainers that don't want to comply with the proper training methods that should be implemented to have a sound animal. It's tantamount ...

Demonizing the pads, chains, and action devices is the same as saying that anyone that owns a gun is a murderer. Not true. The pads, chains, and stacks do not sore horses. The problem trainers and the chemicals sore horses. There are many videos available if somebody really truly wants to education themselves to that fact. You can go on Youtube, see the video of Command and Control. He was taken out of a pasture with the video camera ...

Operator 2: Caller, your time is up. If you would like to reenter the queue to continue your comment, please dial #2. At this time, let's go to the next caller in queue. Caller, your line is unmuted. This would be Krista ... Krista, your line has been unmuted.

Krista: Oh, thank you. I didn't hear my name at first. I am a citizen and an animal advocate and owner of a Tennessee walking horse. I do not exhibit my own horse, my daughter does. First of all, I don't think any of the horses that this act is targeting is going to be helped by remaining natural, because none of the horses that this targets are in their natural state. The only natural horse is one that would be in the wild, and those horses themselves have their own issues to deal with like starvation and inability to get treatment for an injury to a hoof or whatever body part.

Without dwelling on that too much, I don't think extending the hearing period will help or hinder either view of this act and its usefulness to actually protect the breed, any breed of horse. All horses with pads are being viewed as sored, which is 100 percent incorrect. A similar analogy related to a human would be that all adults that are missing teeth are missing them because they have poor dental hygiene. Well we all know that's not true, so we need to be the smarter species here and be more valid with our perceptions and interpretations here.

As the previous caller mentioned, but I also had this in my notes, the Auburn study should be the basis for the impact of pads on any breed of horse, including the Tennessee walking horse, but not only. Pads and other devices do have usefulness and when used properly, and I've only ever seen them used properly, can actually help the horse itself. The act needs to be modified to actually protect horses from soring. It remains so generalized that it basically rules out all devices and substances that actually do provide comfort and well-being to horses. If you've ever been in a lick-type environment during the summer, without mosquito spray ...

Operator 2: Caller, you have thirty seconds left.

Krista: ... that would be comparable to a horse without fly spray so they really need to consider the wording here to be more particular and concise. I think as humans we have that mental capacity to help the horses. Thank you.

Operator 2: Thank you, Krista, and let's go to the next caller in queue. Caller, your line is unmuted ... Caller, check to see if your phone is muted ... All right, let's go to the next caller in queue. Just a quick reminder that if you've already offered comments, please dial #2 to remove yourself from the queue. If you would like to offer a comment, you may dial #2 to enter the queue. All right, let's go to the next caller in

queue. Caller, your line is unmuted.

Elise Smith: Hello?

Operator 2: Yes, that would be you.

Elise Smith: My name is Elise Harrison Smith. Thank you for taking my comment on this important issue. For many decades, I have been a horse lover, owner, I've competed, I've been a barn manager, trainer, and I am certified as a farrier. I am in favor of the enhanced regulations put forth by APHIS [inaudible 01:35:15] showing the Tennessee walking horses and other breeds that it can apply to into compliance with the existing U.S. Horse Federation HPA act laws.

The intentional soring of legs, the scarring caused by mechanical and chemical enhancements, and the extreme shoeing packages that can be applied to the seat of some show horses, may not entirely define the Tennessee walking horse, but it the Tennessee Walking Horse Association has failed to police itself. Veterinarians know it, and so does now a concerned public. The new regs will remove any conflict of interest in shoes and protect horses who are truly abused for/by entertainment and profit. In earlier transcripts, I read some comments claiming tripling government overreach that will negatively impact, some people believe, their abilities for people who depend on them for work to work. This is an error.

As anti-cruelty and HPA laws do not remove horses from their owners or trainers, just impunity to abuse them. Horses receiving excellent care will still require hay, grain, and farrier services. Shortcuts taken to train a [finished 01:36:33] Tennessee walking horse in a desire for the exaggerated big lick action, has corrupted the breed well-known for it's likeability and willingness to please. The exacting cruelty imposed on some show horses [inaudible 01:36:45] with such treatment without relief, is reprehensible. It it includes, like I suggest, clear language for the term "pads" in the proposed changes. In this area, I know some horses work more comfortably in them. The objection is the obscured, heavy packagegs that are built up, folded together, and then banded to an extremely long, overgrown toe. Thank you for taking my call.

Operator 2: All right, thank you for your comment. Let's go to the next caller in queue. Caller, your line is unmuted ... Caller? Your line is open ... All right, let's go to the next caller in queue. Caller, your line is unmuted. All right, thank you caller. Let's go to the next caller in queue. Once again, if you have already offered your questions or comments, please dial #2 to remove yourself from the queue. If you would like to add a comment, you may dial #2 to enter the queue. Let's go to the next caller. Caller, your line is unmuted.

Emily: Hi, my name is Emily [Settuck 01:38:03] and I am here speaking on behalf of myself but also of my family and friends in Pittsburgh, Pennsylvania, including my dad who is a disabled Vietnam veteran. We all care so much about horses, and I just want to express all of our support for the proposed rule to strengthen and enforce the

Horse Protection Act, and to finally end horse soring of Tennessee walking horses.

In 1970 with the passing of the Horse Protection Act, the time has finally come to eliminate this abuse, but as we all know the Horse Protection Act was weak in a number of aspects. Namely it allowed the industry, as Elise also said, to police itself, the fox guarding the henhouse basically. This allowed horse soring to continue into 2016 and in 2010, six years ago, the USDA Inspector General audited the agency's horse protection program and found again many problems, including that self-policing system. They recommended a new system which included independent inspection. It's almost 2017 and the time has finally come to effectively address this major flaw, by requiring USDA licensed and trained inspectors to ensure strong enforcement of the rules. We all in western Pennsylvania applaud the USDA for paying serious attention to this extremely important issue, and also for inviting the public to comment. That's very much appreciated, and for giving the opportunity to finally address the issues found in the Inspector General's audit.

The USDA's effort to ban the use of the devices integral to the soring process, as other folks have mentioned, stacks and pads, is extremely honorable and 100 percent necessary. We also sincerely appreciate the requirement that show management will still pay for inspectors, so taxpayers won't have to cover that cost. My family and I are just hoping that you'll consider also adding heavy shoes to the list of prohibited devices. They obscure the evidence of soring to the sole of the hoof and make it difficult to accurately examine for signs of horse soring. We also feel that the comment period of two months has been a lot of time, plus obviously it has 46 or so years to regulate itself and it hasn't gone well obviously.

We are all strongly in support of the USDA's proposed rule and hope that these important adjustments will be made to the proposed rule and that the USDA will finalize it as soon as possible. The status quo is obviously extremely adequate, and the disturbing cruelty of horse soring is not a cultural tradition that should be passed on to future generations. The USDA should be commended for looking into this, and hopefully it will take the moral and scientific high ground.

I just want to say, on behalf of all of us in western PA, thank you so much for your time and consideration, and I think horses have given so much to us. It's time that we give back to them. They are extremely intelligent and kind, and I think it's time for us to give back to their species so let's end horse soring. Thank you so much.

Operator 2: All right, let's go to the next caller in queue. Caller, your line is unmuted. That would be James. Your line is unmuted.

Jim Heiting: Hello, this is James Heiting. I wanted to speak again in regard to the proposed rule and voice my objection to it. I have been involved in the Tennessee walking horse competitions for about 12 or 14 years, so I don't know the history back to 1979 other than what I've read, although I do recall seeing videos that are very offensive and very terrible about soring horses and mistreating horses. I object to those

trainers, and I hope that you prosecute them to the fullest degree, but the USDA actually I believe should support the positive efforts that have been made in the horse industry, including the Tennessee walking horse industry.

The efforts that have succeeded in finding and developing methods of showing off the athleticism and the abilities of the horses without any harmful effects, and when you look at the scientific studies, that's what I have to go by other than my own personal experience in watching. The pads, the weighted shoes, the bands, the action devices don't harm the horses. They don't contribute to the soring. That's an evidence in your own analysis of the Horse Protection Act and rule. The Horse Protection Act is proposed to eliminate soring and to avoid soring. It prohibits any practice involving a horse. Now that as a result of which the horse suffers or can reasonably be expected to suffer physical pain or distress, inflammation, or lameness when walking, trotting, or otherwise moving. That would include pads, chains, and action devices.

As you know, this has been in effect since 1979, and so have the studies and the scientific analyses that have gone along and have indicated that the pads, weighted shoes, bands, and action devices do not cause those things and cannot be reasonably expected to cause those things. Applaud the people who have brought forth the devices and the methods to make those horses show off their athleticism and their abilities.

Operator 2: Caller, thirty seconds remain.

Jim Heiting: Passage of this rule is tantamount to an ego contest. Otherwise, I'd also like to say that the added expenses in California to the inspections will kill the shows. We have very few horses at the shows. We're very far from Tennessee, and the staff and ... It would just absolutely kill us. We have about 25 or 30 horses at a show, and we contribute as much money as we can to horse rehabilitation ...

Operator 2: Caller, your time is up. We're going to the next caller in queue. If you would like to add additional comments you may reenter the queue by pressing #2. Caller, your line is unmuted. Donna?

Donna Moore: Oh, hi. This is Dr. Donna Moore. I'm an equine veterinarian with about 30 years of experience in equine practice. I've got involved in the Tennessee walking horse issue back in the 1990s when I actually worked for the Department of Agriculture overseeing the nationwide horse protection program. I'm quite familiar with the problems that exist. I did offer up some comments at the recent Riverdale meeting, unfortunately ran out of time, so I just wanted to address one issue which I didn't get to raise there. I am in support of the proposed rule changes. We'll be submitting more detailed comments in writing at a future date.

But one of the things that I wanted to address is the conflicts of interest. That has been a real thorn in the side of the program since the beginning, having the industry policing itself has just not been effective because of all these conflicts of

interest. I'm glad to see some prohibitions that have been put in place against that in these proposed rule changes, but I do think that they need to be strengthened. As written, the rules prohibit anybody from being a horse protection inspector if they or their immediate family members, or their employer, are involved in showing, judging, etc. of walking horses and related breeds.

That's great. However, the prohibition also needs to extend to those whose clients are involved in the walking horse industry. Without that provision, a veterinarian for example, whose income is largely dependent on the good will of walking horse clients, could be licensed as a horse protection inspector and that person would certainly face a conflict of interest. I would also suggest that APHIS should assign the inspectors when their services are requested by show managers. By allowing show managers to contact the inspectors directly, there's the possibility that they will select inspectors who they know personally and who they believe will be sympathetic to their friends. It also leaves open the possibility that the existing HIOs that are [crosstalk 01:47:09] ...

Operator 2: Caller, thirty seconds remain.

Donna Moore: They could in effect become HPI brokers requiring shows that operate under their rules to use their inspectors, which would again allow them to have undue influence over the inspectors. Thank you for the opportunity to offer these comments.

Operator 2: Thank you for your comments. Let's go to the next caller in queue. Marilyn, your line is unmuted.

Marilyn Jasper: Hi, my name is Marilyn Jasper. I'm president of the Humane Society of the Sierra Foothills in California. We fully support the USDA proposed rules, and urge keeping all provisions and applying them to all horses or breeds, with no time extensions. If a horse needs corrective shoes or other kinds of unnatural manipulation or action devices, then possibly that horse should not be competing in the first place.

If a horse needs corrective pads or wedges, they should be considered the same as a drug prescription for humans. A prescription documentation should be produced upon demand or inspection, especially if or when competing or showing with those such corrective shoes, pads, wedges, or whatever. The prescription should be written by a certified and fully-licensed veterinarian, and similar to human prescriptions, they should expire and require renewals, a reexamination if you will on a regular basis to be kept current.

Horses do indeed have a quote natural unquote gait, and it is not found solely in the wild as some are claiming. However, if that were natural in such a problem, then to clarify the issue we urge adding language to prohibit any unnatural gaits via any type of unacceptable, unorthodox manipulation, mechanical or otherwise. Last, violations of any part of the regulations by owners, trainers, handlers, farriers, veterinarians, or anyone involved in the illegal activity or practices, should result in

prosecutions, permanent loss of licenses, heavy fines, incarceration, and permanent banishment from being around horses or being involved with them. Thank you very much for holding these hearings.

Operator 2: Thank you for your comments. Let's go to the next person in queue. Just a quick reminder that if you would like to add additional commentary, you may dial #2 on your telephone keypad to enter the call queue. All right, Tatiana, your line is unmuted ... Tatiana, check to see if your phone is muted.

Tatiana T.: Yes, hi. This is Tatiana Terekhova. Thank you for the opportunity to provide comment. The practice of horse soring is one of the most abhorring and disgusting displays of animal cruelty for the sake of human vanity. It forces the animals that are made to suffer and live in constant pain for the benefit of showmanship is repulsive. Clearly the federal government has already agreed with this when it had the original Horse Protection Act of 1970. The timing of these investigations have proven that the act as it currently stands does not do its intended job of preventing animal abuse. In fact, the USDA's own inspection revealed the prevalence at the systematic level of the failure of the law's intended consequences, but had found that about 90% of horses show [inaudible 01:50:51] or abuse prohibited substances. That is why the proposed rule should strengthen the Horse Protection Act, must do that urgently and without delay, to put a stop to these cruel practices once and for all.

I strongly urge the USDA to [inaudible 01:51:01] additional submissions of eliminating the failed industry's self-policing system, and prohibiting the use of devices, including stacks, pads, hoof bands, and action devices. I also urge the USDA to include heavy shoes and bridge trainers to sole horses on their hoof, as part of their shoeing to hide the evidence, on the list of prohibited devices. I also urge not to extend the comment period for the reasons already described by other callers. Do the right by these horses and ensure the passage of these provisions to finally make sure that the Horse Protection Act can get the enforcement it deserves. Thank you.

Operator 2: Thank you, Tatiana, for your comments. Let's go to the next caller in queue. Katelyn, your line is unmuted.

Katelyn: Good evening. My name is Katelyn [Shopper 01:51:44]. I'm from Houston, Texas. I'm a proud member [inaudible 01:51:47] and I've been showing spotted saddle and walking horses for 20 years. I do wholeheartedly support the removal of stacks and pads and action devices, and to eliminate the sored horse. However, I cannot support every detail of this proposal, and I strongly encourage the USDA to look at NWHHA's addressed proposal that they submitted. Number one, the term "any agent" for a substance ... It could be fly spray or sure sheen. It can accidentally happen and then you get tossed out of inspection and out of the event, even when you're not actually soring your horse.

Another one of my major concerns is only having them in the halter in inspection. A

hoof of the [inaudible 01:52:33], I don't think has ever really been at a horse show environment, and understands the chaos that is the warm up environment. [inaudible 01:52:40] allowed to have three classes inspected prior to showing, so I think that would be just irresponsible and just unsafe to be the exhibitors. I think you need to clarify the accentuated gait. I know that American Saddlebreds, Morgans, Hackneys, they don't have to have the rigorous inspections that the walking and racking and spotted saddle horses do. Quite frankly, I think their horses or exhibitors could handle what we actually go through, so I do think you need to address that, because I don't think it's quite fair.

Again, I have to strongly encourage that you need to work with the National Walking Horse Association and the Walking Horse Honors Association in order to only flat shod, international organizations. Their goal is to work with the government and to have a sound, viable show horse, so I think a discovery phase should have been done instead of rushing into this. I don't think the comment period needs to be extended. I do think you need to work with these two flat-shod organizations to get a better understanding of the financial cost of taking away the HIOs. All the new regulations that were proposed, because I don't want to lose [crosstalk 01:54:07] ...

Operator 2: Caller, you have thirty seconds.

Katelyn: I don't want to lose the show horse. It's my hobby, it's my passion, it's been my life for the past 20 years. But I don't want show horses gone, so I do think that the government needs to work with the flat-shod organizations in order to accomplish that. Again, work with NWH and WHHA and I think we can say goodbye to sore horses. Thank you very much.

Operator 2: Thank you, Katelyn. Let's go to the next caller in queue. As a reminder, if you do have any comments please dial #2 on your telephone keypad. All right, caller, your line is unmuted. That would be Ashton.

Ashton: I think that providing documentation for a horse's necessities as far as pads and wedges is perfectly reasonable. I think that documentation could be provided by a farrier, or certified [inaudible 01:55:12] by a farrier. As far as certifying and agreeing that the horse requires the pad or wedge, going so far as to describe what pad and the thickness, the weight, the incline of the wedge. I think that all of this documentation can be presented upon request to APHIS, along with the documentation already stated in the proposal. I'd also like to expand further on the comments made by the last caller describing the inspection of horses three classes prior to showing. Again, I'd like to strongly encourage APHIS to perform inspections immediately following classes. I think that the warm up area in most show rings is too small to hold three classes worth of horses.

I also think that if inspections were performed on the horses prior to them showing, it could create distress for the horse or an unfair ... Almost an unfair disadvantage to the horse for its performance in the class. I think that both of those

concerns would be mitigated if inspections were performed directly following the class. The horse would've already performed to his best ability, there wouldn't have been any distractions or interruptions to either the horse or rider, and it still addresses the concern of inspecting the horse for soring. I think that with the inspection being performed immediately following [crosstalk 01:56:58] ...

Operator 2: Caller, you have thirty seconds.

Ashton: With the inspection being performed immediately following the class, if the horse was pinned or tied in the class, that could then obviously be removed if they were flagged for a concern for soring. Thank you. That's all at this time.

Operator 2: All right, thank you Ashton. At the moment, I'm not showing any callers in queue, so if you would like to offer commentary please dial #2 on your telephone keypad. All right, let's go to the next caller in queue. Caller, your line is unmuted.

Margaret Ransom: Yes, this is Margaret Ransom. I called for this before, so I'm not going to take up a lot of time. As several callers have mentioned, they've mentioned the idea of checking the horses after the class, and I like that a lot. We would be able to pack up our horses [inaudible 01:57:58], we'd be able to have whatever warm up time we felt your horse needed, because sound horses need longer warm ups. Then could be to take off saddles, bridles, whatever you wanted taken off afterwards and be checked after the class. I think that's a great idea, and that's all I want to add right now. Thank you.

Operator 2: Thank you, Margaret. Let's go to the next caller in queue. Marissa, your line is unmuted.

Marissa Landau: Hi, my name is Marissa Landau. When Congress passed the Horse Protection Act in 1970, the goal was to ensure that trainers complied with the law and trained their horses humanely. Instead, we've seen weak regulations and a failed system of self-policing that undermines the law's effectiveness and a lot of horses have suffered as a result. As they mentioned earlier, the USDA is able to attend about 10 percent of the horse shows because of their limited resources. They are relying on licensed inspectors in the field to look out for these tortuous training methods.

I generally applaud the USDA for taking notice of the horse soring problem, and for proposing a rule prohibiting the use of stacks, shoes, pads, bands, and action devices on the horses. However, heavy shoes are also used by trainers to sore horses, and similar to stacks and pads they do hide the evidence of soring done to the sole of the hoof, which is known as pressure shoeing. These shoes are so wide that it's impossible to apply a hoof tester to the sole to check for soring, so if we don't act to ban the use of heavy shoes the big lick trainers will simply use pressure shoeing to inflict pain to create the big lick gait. I believe that the USDA should implement a weight limit on the horse's shoes and prohibit any shoe that's so wide it covers the hoof sole and prevents examination of the sole. This will help ensure that there's no way to get around the rules and to cover up any abuse, as these

trainers have been doing for so many years.

I appreciate the USDA's choice to open this to public comment, and I strongly support their proposal to also implement a recommended amendment and not extend the comment period. I think we've had a lot of time. People had a lot of time to comment, and I hope that they'll move quickly to finalize the rule before the end of this administration, so we can finally put a stop to the cruel practice of horse soring once and for all. Thank you so much for your time and for allowing us to give our public comments.

Operator 2: Thank you, Marissa. Let's go to the next caller in queue. Mary, your line is unmuted.

Mary Wahl: Hello, I'm Ester Mary Wahl, originally from Michigan, and a transplant in retirement to Tennessee where we transplanted our pony farm. I've been asked by the president of the American Shetland Pony Club to represent them on this conference call tonight. I've been on the board of directors for eight years, and I've been a member for over 50 years. The American Shetland Pony Club was founded in 1888, so it's close to 128 years old this year. It's the oldest small equine association in the country, so there's been a lot of years that people have enjoyed ponies. I would like to briefly give you some more information because I will refer to this perhaps in later comments.

The American Shetland Pony Club is not just Shetland ponies. It's made up of five equine registries. The American Shetland Pony Registry, the American Miniature Horse Association, the American Show Pony Registry which is primarily Hackneys up to 48 inches, the smaller Hackneys, the American Shetland Pony International, and the National Performance Sports Show Pony. Together we, in the past 10 years, and past six years in 2010, we have registered over 42,000 animals in these five registries. Currently we have 4,200 members, and this year in 2016, we have over 125 sanctioned shows all over the United States, Canada, and in the countries of Belgium, the Netherlands, and France. In addition to this, we hold two national shows, the Shetland Congress which had 625 animals this year, and the American Miniature Horse Registry Nationals which is currently going on in Tulsa with over 1,500 miniature horses, which include youth amateur and open class.

I'd like to speak on behalf of the organization to several points. The first thing is soring, and to make it very clear and adamant, all of our association is strongly opposed to soring and all inhumane actions to animals. We want to go on record as being and that, and we do not feel that we have had in the past 128 years this happening in our association. If you will go back ...

Operator 2: Caller, you have thirty seconds.

Mary Wahl: I would like to mention about pads, and pads are used many times to improve the ... To support the hoof and also, I'd rather mention about boots, because boots are roadster classes, light chains have never proven to have anything to do with soring. The main thing is licensed inspectors at all these shows would be a huge disaster to

these shows in terms of cost, and would probably prohibit them from having shows. We are doing a lot of self-monitoring of our own association, and feel that we really do not have this kind of a problem. It's kind of like the old cliché, "If it's not broke, don't fix it." Thank you very much for allowing me to have time to speak from the American Shetland Pony Club's perspective. Thank you.

Operator 2: Thank you, Mary. Let's go to the next caller in queue. Again, if you would like to ask or offer any commentary, please dial #2 on your telephone keypad. Lisa, your line is unmuted.

Lisa Powers: Hi, my name is Lisa Powers, and I strongly support this legislation. I am the owner of Tennessee flat-shot walking horses, and in fact I'm riding one right now. They're the most kind-hearted and gentle and great horses to have and ride. I do not support extending this comment period at all. I thank you for your time.

Operator 2: Thank you, Lisa. Let's go to the next caller in queue. Ashton, your line is unmuted.

Ashton: Hi, I wanted to support what has been said two callers earlier, that boots are used. In Saddlebreds, we usually use them to protect the front shoes from being clipped off if the horse has overreached.

The other aspect of this that I wanted to touch on, [inaudible 02:05:04] ... During the inspection of horses, if the horse becomes somewhat unmanageable and the HPI doesn't feel comfortable inspecting them, the horse is immediately disqualified. I'd like to have further clarification provided for that and possibly also consider that inspections be performed by the custodian under the direction and the supervision of the HPI. I feel that by immediately disqualifying a horse, that's a little out of hand. It's unfair to the horse. You're going to experience that a lot with younger horses or if your horse is particularly hot, like my mare. Or we have a horse in our barn who through past neglect at an old barn, through no fault of her own, needs to be handled extremely delicately. Because of her familiarity with our trainer, or what would be considered the custodian, I feel that she'd be much more comfortable being inspected by the custodian while still under the supervision and direction of the HPI.

I think that APHIS needs to consider the delicate horse situation such as those, where they're expecting a horse ... I don't think it's fair to the horse if the HPI is not comfortable around the horse, particularly because HPIs are not necessarily going to be equine veterinarians. They can be small general practice veterinarians or vet techs. Thank you.

Operator 2: Thank you, Ashton. Let's go to the next caller in queue. Peaches, your line is unmuted.

Carol Sherills: Hi, my name is Carol Sherills. I'm a Tennessee walking horse owner, exhibitor, and breeder, and against soring meaning horse. When I bought my first Tennessee walking horse, I did my own studies of this industry and I have looked into every

nook and cranny of the good, the bad, and the ugly. I educated myself, and I have found some [inaudible 02:07:16]. But I also found the B.S. against this industry. I am against these regulation changes due to the fact that most of the hype has been brought about by animal activists through media and social propaganda. I have hardly every reason in the world to be against these rules, and all are valid from economic impact to the income loss to trainers, exhibitors, charities, communities, and owners. The celebration has record numbers in the stands and entries this year, and I can only imagine the income brought into Bedford County.

I'm against these regulations for these reasons, as much as the fact that a branch of my government is bypassing Congress in its move forward on what is clearly a Humane Society [inaudible 02:08:04] or agenda. Where bypassing my voting in representatives are doing [inaudible 02:08:11] ... By doing this, you are also bypassing my rights as an American citizen. I'm proud of our breeders [inaudible 02:08:22] for standing behind every aspect of the walking horse industry from trail to rail. By extending the comment period, it would allow our government to change hands and not be so influenced by the agenda of the Humane Society of the United States.

Some of the comments from the people in favor are uneducated statements. The words being used are a repetition of propaganda being spread by animal activists. My horses are treated very well, they are fat and happy. I have licensed inspections from HIO, independent inspectors that are more stressful than USDA inspection. The crisis of sorring keep being brought up over and over. It's not in use today. There are numbers out there to prove this point. These regulations are a gross overreach of the branch of our government. It takes away my rights of private property and due process to the proper channels of law. The scar rule is too open to subjective inspection. We need to allow scientific, objective inspections, which has been prevented Congress and Senate, so I can only assume that is why you are bypassing this [inaudible 02:09:23] because it is a sound step in the right direction and would stop the hidden agenda of animal activists. The law applies to all related breeds, and none should be exempt.

Operator 2: Caller, you have thirty seconds.

Carol Sherills: The HPA was written for all related breeds. The Auburn study says there's no harm to the horse, that you just [inaudible 02:09:42] action device. The USDA proved [inaudible 02:09:47] their own inspections were during the celebration by arguing amongst themselves. You go through inspection HO pass, go through USDA fail, and then go through an equine vet and pass. This is nuts. This breed, they are asking the rewording so they can keep their pastern action devices. They're saying the pastern action devices are not harmful, even though they are not coming right out and saying it. As for the head nodding [crosstalk 02:10:09] ...

Operator 2: Caller, you have run out of time. All right, you may exit the queue by pressing #2 and reenter it by pressing #2 to offer additional commentary. Caller, your line is unmuted. That would be Lisa.

Lisa Powers: Hi, I would like to make another comment in regards to the previous caller. Soring is very much still going on, and I have inside connections to the show industry and they're crooked, deep inspectors that people know where to go to. Soring is still very well going on in the industry, and it needs to end now. Thank you.

Operator 2: Thank you, Lisa. All right, at this time I'm not showing any further callers in the comment queue. If you would like to ask for a comment, please dial #2 on your telephone keypad. All right, your line is unmuted.

Carol Sherills: There are numbers out there that show that soring is not going on in this industry. As for the head nodding being a sign of lameness, the definition of the Tennessee walking horse. It will nod its head in rhythm with the cadence of its feet. This nodding head motion with the overstride are two features that are unique to the Tennessee walking horse. I have video that proves its movement. It's naturally born into this breed. As an American citizen and Tennessee walking horse owner, I am against these rules. Thank you.

Operator 2: Thank you for your comment. All right, we'll go to the next caller in queue. Sharon, your line is unmuted ... Sharon, check to see if your phone is muted. All right let's go to the next caller in queue. Mary, your line is unmuted.

Mary Wahl: Yes, this is Mary Wahl again with the American Shetland Pony Club. Sorry I took quite a while to explain about our organization, but we do have five different groups there. From the miniature horses who are unshod, but still have this concern about boots that are used in their roadster classes to prevent foraging and the hind seat coming to the front. We have that in all our divisions. We do with all the roadster classes.

Also I want to mention the situation about chains, light chains, no heavier than a bracelet or your watch, are used on these ponies. They are used many times to strengthen muscles, just as if you were a human being going to a health club to get some exercise and strengthen muscles. They are used at times for that. We are very concerned about the situation of licensed inspectors. I made a mention of it, but I want to reinforce that again. Many of our shows are very small. They have 100 to 150 horses. They're located out in rural areas. There's no way they would be able to afford to pay for licensed inspectors. I'm not even sure national shows would be now. We've have to cut back on a number of things because of costs, including facilities and many other things that are going up in price, and our exhibitors just cannot bear any more expenses and still participate in these performance classes.

I would like to encourage you to strongly consider these trotting breeds which include not only Shetland Ponies, American Show Ponies, Saddlebreds, Hackneys, Morgans, Arabs, all of the trotting breeds who have not been involved to the extent of soring as this Horse Protection Act appears to focus on. We'd certainly like to see Tennessee walking horses. We abhor the soring. Thank you very much for giving us the opportunity to discuss this. Thank you.

Operator 2: Thank you for your comments, Mary. I'm going to go to the next caller in queue. Sharon, your line is unmuted.

Sharon Cole: Yes, this is Sherry Cole. I'm from the American Morgan Horse Association. We are adamantly opposed to any cruel or abusive actions endangering the welfare of horses, including the practice of soring. We support the continued effort to eliminate these practices. However, the proposed changes to the HPA as written are far more reaching and potentially harmful to breeds such as the Morgan horse. The intent of this law can be easily accomplished without causing any potential harm to the Morgan horse with a few minor revisions. The language is too broad and would prevent the use of such aids as therapeutic pads, fly spray, and liniment to name a few. This rule needs to be written so that it can not be misunderstood, not just understood. Thank you very much for your time.

Operator 2: Thank you for your comments. Again, if you would like to offer any comments about this act, please dial #2 on your telephone keypad. All right, looks like we have another caller in queue. Caller, your line is unmuted.

Teresa Bippen: Thank you.

Operator 2: Teresa?

Teresa Bippen: Yes, thank you. I am Teresa Bippen and I own three Tennessee walking horses and a Missouri Foxtrotter. I have owned horses for 20 years. I am also the president of Friends of Sound Horses, also known as FOSH. I testified at the Energy and Commerce Committee hearing on November 13, 2013 in favor of the past act. I am here to state two positions.

First, I am opposed to any extension of the comment period for the proposed regulations. It has been six years since the office of the Inspector General stated that enforcement of the Horse Protection Act has failed to protect horses, and that horses were still being sored. I have waited six long years for APHIS to implement the OIG recommendations. During this wait, thousands of horses have been sored and permanently damaged from the the physical, mental, and emotional abuse of being trained and living in excruciating pain. It needs to stop now. No extensions allowed for continuing animal abuse, and soring is animal abuse. It is widespread in the big lick show ring. Soring is torture, because what is torture other than the deliberate infliction of pain. Yet we have a minority group in the breed that believes it is okay.

Second, I am strongly in favor of the proposed regulations. The economic damage from soring cannot be understated. Over the past five decades, tens of thousands of horses have been discarded as they became scarred and could no longer be shown. Of those, big lick proponents state these horses are now ready to become pleasure horses, nothing to be further from the truth. New owners must deal with damaged hooves and pasterns. That and [ferrier 02:17:40] costs to correct the

injuries deliberately caused by big lick exhibitors and trainers. Damaged minds that do not trust humans lack the trust that is required to create a safe riding experience for the new owner in the trust. These new owners are the ones bearing the entire brunt of rehabilitation of the scarred and sores big lick horses they purchase. This is the economic toll of soring. It takes a big heart, a compassionate wallet, to correct this damage and to heal these horses. The new owners are responsible, compassionate, caring people, and unlike those that are doing harm in the big lick world. Without these new rules, we are going to have to [crosstalk 02:18:20] ...

Operator 2: Caller, you have thirty seconds.

Teresa Bippen: Thank you. Without these new rules, we will need to rely on compassionate, caring people to rescue the mess known as ex-big lick horses. Please enact these new regulations as soon as possible. We are strongly in favor of these new regulations. Thank you.

Operator 2: Thank you, Theresa. Let's go to the next caller in queue. Ashton, your line is unmuted.

Ashton: Yes, I wanted to address statements made in your analysis for the Regulatory Flexibility Act. You do say that shows requiring more than two HPIS for the number of horses may result in additional costs for shows and their participants, and that any additional cost burden to the show would depend on the show's ability to pass these costs along to the attendants or other entities involved in the shows. I did want to restate a claim that I had made earlier, or a proposal that I had made earlier, as your alternatives considered section does ask for feedback on the viability of alternative approaches that continue to rely on the horse industry organization concept.

By stating that, if APHIS is responsible for training and designating these new HPIS, I feel that APHIS should also absorb the costs of this. Because if the show manager is responsible for paying and therefore the show participants are responsible for paying for HPIS to be present, I'd like to propose the consideration that the interests or conflicts of interests that would be present would be due to the fact or could be caused if a horse show manager hires a certain HPI or multiple HPIS and soring is found, or there's too much of a financial burden for that show and the show is unable to run, it's very unlikely that that show manager is going to hire HPIS in the future, which would limit APHIS's presence for shows. Obviously, it's very apparent that APHIS would prefer to have a greater presence at these horse shows, through their HPIS. If HIOs were able to pay a fee, or if organizational groups that were responsible for regulating the horse shows were able to pay a fee to APHIS, which was then directly used for the employ of the HPIS ...

Operator 2: Caller, you have ... okay.

Ashton: Thank you. Which was directly used for the employ of the HPIS. The cost of

burdening one particular local show is felt a lot less. Your cost is sort of distributed throughout the industry, and throughout the organization. It could be matriculated down to membership fees, so that organizations ... But the likelihood that it would financially burden a small local show is more greatly diminished. Thank you.

Operator 2: Thank you, Ashton. At this time, if you would like to offer any further comment, please dial #2 on your telephone keypad. All right, we have a caller. Caller, your line is unmuted.

Linda: Hello?

Operator 2: Linda?

Linda: This is Linda.

Operator 2: There you are.

Linda: Linda [Starns 02:22:04], and I am speaking in Kentucky on behalf of local saddle clubs. We have the Edmondson County Saddle Club, and we would not be able to economically feasible. There's no way to put on horse shows with the regulations that are proposed at this time. We put on 4-H all breeds fun shows. The breeders [inaudible 02:22:30] fun for walking horses. We host some of those, and none of those we could afford to put on with the proposals that are listed, so I am in opposition to the rules that are written as they're written. I am in favor of extending the comment period.

Actually, also I've heard people talking about checking horses after they show. The USDA is supposed to check horses to make sure that found-in-compliance horses go into the ring, so I don't think that checking horses after they come out is something they can do anyway. Again, Linda Starns, on behalf of our local shows in Kentucky, I'm saying that this rule does not help us to be able to help kids go into the show ring. I do appreciate the time and effort that the USDA is giving us to comment. Thank you.

Operator 2: Thank you, Linda. If you'd like to offer comment, please dial #2 on your telephone keypad. All right, we have another caller in queue. Ashton, your line is open.

Ashton: Hi, I just wanted to address the comments that Linda made concerning checking horses after they've come out of the show. I'd proposed that suggestion just because the unfeasibility of warm up rings to hold three classes' worth of horses at a given time, I think it presents a dangerous situation, not only to the horses, but also to the inspectors to have that many horses in a warm up arena at one time. The fact that they would also have to remain untacked until after they were checked really concerns me as far as delaying classes, as well as the preparedness of the chain going into the ring. I don't think it's fair to two or three classes before you're supposed to show have to wait while your horse is being inspected. It could cause distress to the horse, it could make him more anxious and nervous, which is

really setting you up for failure going into the class. Maybe I didn't make it clear enough in my earlier statement when I said that after the class or the horses being checked, if they have been found or suspected of being sore or are having unfair advantage as far as an action device, or lead, or pads present, any place that they earned in that class can be removed. Thank you, that's it.

Operator 2: Thank you, Ashton. At this time, I'm not showing any more callers in queue. Once again, if you would like to offer comment, please dial #2 on your telephone keypad.

Mike Tuck: All righty, this is Mike Tuck. Thank you again for participating in our call. I appreciate your comments and I'd like to go ahead and end the session for this evening. Take care, and again you can submit public comments on [regulations.gov](https://www.regulations.gov) until September 26. Thank you and have a good evening.

Operator 2: Thank you, Mike. Thank you all of you for offering your comments and participation. Today's conference is now concluded and you may now disconnect.