



AWI FACT SHEET

The Prevent All Soring Tactics (PAST) Act (H.R.1684)

The PAST Act—led by Reps. Brian Fitzpatrick (R-PA), Steve Cohen (D-TN), Vern Buchanan (R-FL), and Jan Schakowsky (D-IL)—would end the cruel practice of injuring the hooves and legs of horses to alter their gait during certain walking horse competitions.

Congress enacted the Horse Protection Act (HPA) in 1970 to end the abusive practice of “soring,” in which unscrupulous trainers deliberately inflict pain on Tennessee Walking Horses’ hooves and legs to exaggerate their high-stepping gait, known as “Big Lick,” and gain an unfair competitive advantage at horse shows. Soring methods include applying caustic chemicals, using plastic wrap and tight bandages to “cook” those chemicals deep into the horse’s flesh for days, attaching chains to strike against the sore legs, inserting hard objects such as screws and resins into tender areas of the hooves, paring the soles of the feet down to sensitive tissue, and using salicylic acid or other painful substances to slough off scarred tissue in an attempt to disguise the sored areas. Sored horses often live in constant and extreme pain throughout their careers.

CURRENT LAW ALLOWS INDUSTRY TO POLICE ITSELF

The US Department of Agriculture (USDA) has never been provided the resources to allow its inspectors to attend most of the shows. Decades ago, in an attempt to compensate, USDA set up an industry-run enforcement system in which Horse Industry Organizations (HIOs) were authorized to train their own inspectors, called Designated Qualified Persons (DQPs), to inspect horses for soring at shows. However, DQPs are employees of these show organizations and are often exhibitors of Tennessee Walking Horses themselves. Not surprisingly, many DQPs avoid citing those who hired them for violations.¹

USDA INSPECTOR GENERAL RECOMMENDS PROGRAM OVERHAUL; NEW HPA REGULATIONS

Though the HPA was enacted over 50 years ago to protect horses from painful soring, this abuse continues unabated. A 2010 audit by the USDA Inspector General (IG) exposed



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how trainers in the industry continue to train horses using humane methods and go to great lengths to evade detection.² The IG recommended stiffer penalties and eliminating the flawed system of industry self-policing, as well as increased funding to enable the USDA to more adequately oversee compliance with the law. Fortunately, after many years of delay, the USDA finalized new HPA regulations that are set to go into effect in 2025. These regulations will replace the industry self-policing system with one involving impartial inspectors, primarily those with veterinary experience, directly trained and overseen by the USDA.

EQUINE VETERINARIANS AND HORSE GROUPS CALL FOR REFORMS

The American Veterinary Medical Association (AVMA) and the American Association of Equine Practitioners (AAEP),



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along with the American Horse Council and several show horse industry groups, all endorse this legislation. The AAEP issued a white paper condemning soring, calling it “one of the most significant welfare issues faced by the equine industry.”³ In a joint statement, the AVMA and the AAEP stated, “For decades we’ve watched irresponsible individuals become more creative about finding ways to sore horses and circumvent the inspection process, and have lost faith in an industry that seems unwilling and/or unable to police itself.”⁴

UNDERCOVER INVESTIGATION AND ENFORCEMENT TRACK RECORD

An undercover investigation of champion Tennessee Walking Horse trainer Jackie McConnell and his associates in 2012 revealed that trainers can sore horses and enter them into shows undetected under the current system, as McConnell did while serving a 5-year federal disqualification. Caught on video painting caustic chemicals on horses’ legs, McConnell pleaded guilty to conspiring to violate the HPA. The video also showed horses being whipped, kicked, shocked in the face, and violently cracked across their skulls and legs with heavy wooden sticks. Prosecutors expressed frustration with the weak penalties available under the current HPA.

In another case only a year earlier, trainer Barney Davis pleaded guilty to multiple violations of the HPA and related financial crimes. According to Davis, “Everybody does—I mean, they’ve got to be sored to walk. I mean, that’s the bottom line. It ain’t no good way to put it, but that’s it.”⁵ These prosecutions are noteworthy because they are so rare. HIOs claim a 99 percent compliance rate with the HPA.⁶ USDA inspectors, however, have found exactly the opposite: up to 100 percent of randomly selected horses tested positive for prohibited foreign substances applied to their pasterns either to cause pain or to mask the symptoms.⁷

THE PAST ACT WOULD IMPLEMENT NEEDED REFORMS TO END THIS ABUSE OF HORSES

The PAST ACT would:

- End the failed industry self-policing system. The USDA would train, license, and assign inspectors to horse shows instead of having HIOs choose who conducts inspections. Shows would still have the option of hiring inspectors or declining to do so; show management who opt out would

(as in current law) risk greater liability if soring is uncovered at their show.

- Strengthen penalties. Violators of the law could receive up to three years’ jail time for core offenses now treated only as misdemeanors. Maximum fines would increase to \$5,000 per violation. Periods of disqualification would lengthen with each violation. A third violation could result in permanent disqualification from any horse show, exhibition, sale, or auction.
- Ban the use of devices associated with soring. Chains, weighted shoes, pads, chains, and other devices used on three specified breeds (Tennessee walking horses, spotted saddle horses, and racking horses) to intensify pain and conceal foreign objects would be expressly prohibited.
- Make the actual soring of a horse for the purpose of showing or selling the animal illegal. Directing another to do so would also be illegal.
- Not add costs to the federal government. The PAST Act would enable the USDA to redirect its enforcement efforts and resources in a more efficient and effective way.

While the new HPA rulemaking will hopefully accomplish a number of the PAST Act’s goals, these regulatory reforms can more easily be undone than statutory changes. Moreover, the PAST Act would ensure spotted saddle horses are also protected and would explicitly prohibit weighted shoes implicated in soring. Importantly, the PAST Act would also strengthen penalties and deterrents in the HPA (which the regulations cannot do). For additional information, please contact Joanna Grossman at joanna@awionline.org.

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6. USDA review of data from 2020 and 2021 show seasons. Agency updates sent February 22, 2021 and February 25, 2022.
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