

## Testimony for House Committee Hearing on HR 1518 "The PAST Act"

My name is William T. "Marty" Irby, Jr. I served as the President of the Tennessee Walking Horse Breeders' & Exhibitors' Association (TWHBEA) from December 2010-December 2012, and currently serve as an International Director from the State of Tennessee for the organization representing all of the members in the State of Tennessee that are stakeholders and have a vested interest in the Tennessee Walking Horse. In addition, I am an 8 time World & World Grand Champion rider with Tennessee Walking Horses, have owned a Racking Horse World Grand Champion within the Racking Horse Breeders' Association of America, and have judged the Spotted Saddle Horse World Grand Championship for the National Spotted Saddle Horse Association. All three of these breeds are affected by the proposed legislation I fully support.

In 1955 my Grandfather veterinarian Dr. L.E. Irby, obtained his first Tennessee Walking Horse and joined the association I later became President of at the age of 31. TWHBEA is the breed registry established in 1935 and is the oldest and largest organization within our industry. At the age of 3 I was first placed on a Tennessee Walking Horse, and at the age of 5 I first began competing in World Grand Championship competitions. Since childhood I have observed the horrific practice of soring, and my father William Ty Irby Sr. taught me how to sore a horse at the age of 13. Soring padded performance Tennessee Walking Horses is engrained in our culture, and to prevent the extinction of the Tennessee Walking Horse I believe this bill must pass the United States House of Representatives & United States Senate.

Having served as President of our breed and having been the youngest President in history, I have listened to tens of thousands of Tennessee Walking Horse breeders, owners, trainers, exhibitors, and enthusiasts of all ages. During my eight years of service in various positions prior to serving as

President I tried to move our breed in a new direction from within, and was unsuccessful in my attempts. Therefore, I am here before you today to ask Congress to please help save our breed.

Over the past 10 years our membership at TWHBEA has declined from more than 20,000 to less than 8,300. In 2006 while I was an International Director of our Association, the Tennessee Walking Horse National Celebration failed to crown a World Grand Champion because most of the horses were disqualified and deemed in violation of the Horse Protection Act. When I served as Vice-President of Marketing for TWHBEA in 2007 our association was near bankruptcy. In 2010, when I served again as Vice-President of Marketing, TWHBEA was “kicked out” of the World Equestrian Games in Kentucky, and our \$25,000.00 sponsorship check was returned due to the soring issues and utilization of pads (stacks) and chains (action devices). Our greatest fault for many decades as a breed is that we have been trying to save the padded performance horse. We have been trying to perpetuate a false premise. Recently I discussed this with a friend and said “we tried and tried to save the performance horse, and now it is about saving the breed.” He said “shouldn’t it have been about saving the breed all along?” At this point in time and as I have progressed I have realized that we must let go of the sore padded performance horse and step soundly into the future, or we will not realize any future at all.

In May of 2012 I was as President faced with perhaps the most critical decision that has ever faced our breed. Should I continue to perpetuate the lie that the padded and chained performance Tennessee Walking Horses are mostly sound and a few bad apples sore them, or should I recognize the truth that all padded and chained Tennessee Walking Horses are either sore or have been sored? This question came to mind after an expose was aired on ABC’s Nightline that showed undercover documentation of one the top World Grand Champion and Hall of Fame trainers, Jackie McConnell brutally beating, soring, and electrically cattle prodding a number of Tennessee Walking Horses. I had known Jackie McConnell since I was five years old, my parents were close friends with both him and his wife. During this event I happened to be judging a horse show in Wemding, Germany where the padded

and chained up performance horse is illegal. I observed the reaction the world had to this video and expose, and knew I could no longer allow this lie to be perpetuated.

This event became the “Tylenol Crisis” of the Tennessee Walking Horse breed. The negative stigma associated with our breed due to soring has caused the value of yearling colts to drop from \$20,000 or more to \$300-\$500 in just a few short years. Our breed records reflect that last year we bred 4.9% of the number of mares we bred eight years ago. Our lack of ability to self-regulate over the past 43 years has brought our breed to this crossroads. I have observed more corruption in soring horses, corrupt inspections, corrupt judging, corrupt training methods, corrupt business practices intertwined within the industry, corrupt horse shows, and corrupt titles given to the highest bidder that have all perpetuated the horrific practice of soring, and nearly destroyed our great breed of horse. An economy based on criminal activity such as this must not persist and is not healthy for our breed, or our country. It is time someone took action to save our breed, make our equine economy grow again, and create an avenue that people begin to breed mares, buy horse feed, haul horses to the horse show, promote the general welfare of our horse which will enable a thriving and positive future for generations and generations to come. For this to happen the mechanically created and artificial gait known as “the big lick” must cease to exist and pads, action devices, and soring must be eliminated along with the self-regulation and current system that perpetuates this dark cloud hovering over our horses. In addition, the HIO (Horse Industry Organization) inspection system is what divides our breed, eliminating this system will provide a central authority for the industry’s judges while USDA licenses inspectors. The HIO system which was allowed by the 1976 amendment to the Horse Protection Act must go.

The majority of the soring continues in one division known as the padded and chained performance division that HR 1518 will eliminate. After passage, the remainder of the rest of the breed will be able to move forward in a new direction and grow our breed with emphasis on its versatility and not one “freak show” segment. For nearly a year beginning in the summer of 2012 I went to many of the

top training barns within our industry in search of padded horses who had not been sored. I covered the majority, and could not find a single horse that had not had this abuse upon them at some point in their life. Most were being sored at the time of my analysis. Many of the trainers told me firsthand how they were soring horses. Over time I have observed the use of mustard oil, croton oil, diesel fuel, kerosene, WD-40, or Gojo (hand cleaner) to sore horses at the majority of all training facilities in this industry.

There is nothing wrong with the Tennessee Walking Horse. It is the people, the artificial devices such as pads and chains, and the soring that is wrong with our breed, and it is long past time these practices of horrific animal abuse that are nothing short of slavery stop! After having managed the largest Tennessee Walking Horse breeding farm in the history of the breed, and having worked with thousands of breeders who just a few years ago paid five to ten times for a stud fee what they pay today, and watching our breed come to this critical of a stage, I can tell you that I believe the passage of the PAST Act HR 1518/S 1406 is our final chance for salvation. Otherwise, the Tennessee Walking Horse will be no more, and the equine industry will have lost what I believe to be the greatest breed on earth.

# First Time Foal Registrations

December 2010 - November 2011					
<u>Month</u>	<u>Free</u>	<u>Paid</u>	<u>Total</u>	<u>Amount</u>	
Dec	108	282	390	\$	15,505
Jan	70	192	262	\$	17,020
Feb	49	191	240	\$	14,570
Mar	58	204	262	\$	15,555
	53	212	265	\$	19,405
May	48	203	251	\$	17,730
Jun	92	196	288	\$	15,340
Jul	125	273	398	\$	17,951
Aug	118	235	353	\$	15,130
Sept	170	306	476	\$	16,190
Oct	221	417	638	\$	21,110
Nov	139	244	383	\$	12,870
<b>Total:</b>	<b>1,251</b>	<b>2,955</b>	<b>4,206</b>	<b>\$</b>	<b>198,376</b>

December 2011 - November 2012					
<u>Month</u>	<u>Free</u>	<u>Paid</u>	<u>Total</u>	<u>Amount</u>	
Dec	65	178	243	\$	11,050
Jan	90	250	340	\$	17,245
Feb	42	169	211	\$	13,855
Mar	51	253	304	\$	19,070
Apr	48	182	230	\$	14,335
May	74	227	301	\$	20,810
Jun	78	188	266	\$	14,185
Jul	93	142	235	\$	10,830
Aug	133	218	351	\$	15,990
Sept	134	331	465	\$	19,350
Oct	165	382	547	\$	20,480
Nov	116	306	422	\$	15,935
<b>Total:</b>	<b>1,089</b>	<b>2,826</b>	<b>3,915</b>	<b>\$</b>	<b>193,135</b>

December 2012 - November 2013						<u>Accumul</u>
<u>Month</u>	<u>Free</u>	<u>Paid</u>	<u>Total</u>	<u>Amount</u>		<u>ated</u>
						<u>Total</u>
Dec	75	194	269	\$	12,680	269
Jan	64	128	192	\$	10,110	461
Feb	39	154	193	\$	13,000	654
Mar	50	168	218	\$	8,618	872
Apr	56	224	280	\$	9,088	1,152
May	46	175	221	\$	6,874	1,373
Jun	74	367	441	\$	14,556	1,814
Jul	78	562	640	\$	21,065	2,454
Aug	140	401	541	\$	18,468	2,995
Sept	96	253	349	\$	11,876	3,344
Oct						
Nov						
<b>Total:</b>	<b>718</b>	<b>2,626</b>	<b>3,344</b>	<b>\$</b>	<b>126,335</b>	

# Transfers

December 2010 - November 2011					
<u>Month</u>	<u>Free</u>	<u>Paid</u>	<u>Total</u>	<u>Amount</u>	
Dec	92	299	391	\$	12,745
Jan	107	379	486	\$	15,830
Feb	119	451	570	\$	17,480
Mar	196	605	801	\$	24,180
Apr	161	469	630	\$	19,510
May	168	497	665	\$	21,135
Jun	168	465	633	\$	18,490
Jul	110	353	463	\$	14,730
Aug	173	430	603	\$	17,250
Sept	171	486	657	\$	19,060
Oct	147	421	568	\$	18,640
Nov	114	295	409	\$	12,600
<b>Total:</b>	<b>1,726</b>	<b>5,150</b>	<b>6,876</b>	<b>\$</b>	<b>211,650</b>

December 2011 - November 2012					
<u>Month</u>	<u>Free</u>	<u>Paid</u>	<u>Total</u>	<u>Amount</u>	
Dec	104	275	379	\$	11,375
Jan	132	416	548	\$	17,190
Feb	119	520	639	\$	20,640
Mar	169	550	719	\$	22,670
Apr	181	520	701	\$	21,410
May	166	468	634	\$	20,060
Jun	138	417	555	\$	16,400
Jul	134	342	476	\$	14,370
Aug	172	439	611	\$	18,500
Sep	120	382	502	\$	16,120
Oct	140	359	499	\$	14,840
Nov	92	336	428	\$	13,970
<b>Total:</b>	<b>1,667</b>	<b>5,024</b>	<b>6,691</b>	<b>\$</b>	<b>207,545</b>

December 2012 - November 2013						<u>Accumul</u>
<u>Month</u>	<u>Free</u>	<u>Paid</u>	<u>Total</u>	<u>Amount</u>		<u>ated</u>
						<u>Total</u>
Dec	64	218	282	\$	9,040	282
Jan	107	306	413	\$	12,690	695
Feb	108	357	465	\$	14,310	1,160
Mar	140	364	504	\$	13,272	1,664
Apr	152	437	589	\$	15,126	2,253
May	116	336	452	\$	11,310	2,705
Jun	109	483	592	\$	16,484	3,297
Jul	108	457	565	\$	16,398	4,191
Aug	157	447	604	\$	16,156	4,795
Sep	98	361	459	\$	13,960	5,254
Oct						
Nov						
<b>Total:</b>	<b>1,159</b>	<b>3,766</b>	<b>4,925</b>	<b>\$</b>	<b>138,746</b>	

# Stallion Breeding Report

Year	Number Mares	Blood Typed	Not Blood Typed
10/01/90 - 09/30/91	13,558	10,200	3,358
10/01/91 - 09/30/92	14,613	12,547	2,066
10/01/92 - 09/30/93	15,606	14,218	1,388
10/01/93 - 09/30/94	17,358	16,220	1,138
10/01/94 - 09/30/95	19,435	18,471	964
10/01/95 - 09/30/96	21,829	21,067	762
10/01/96 - 09/30/97	23,704	23,164	540
10/01/97 - 09/30/98	24,129	23,743	386
10/01/98 - 09/30/99	25,390	25,043	347
10/01/99 - 09/30/00	26,813	26,555	258
10/01/00 - 09/30/01	27,334	27,105	229
10/01/01 - 09/30/02	27,378	27,168	210
10/01/02 - 09/30/03	27,493	27,337	156
10/01/03 - 09/30/04	26,320	26,198	122
10/01/04 - 09/30/05	24,780	24,653	127
10/01/05 - 09/30/06	21,203	21,086	117
10/01/06 - 09/30/07	17,374	17,316	58
10/01/07-09/30/08	13,380	13,252	128
10/01/08-09/30/09	9,869	9,537	332
10/01/09-09/30/10	9,216	8,527	689
10/01/10-09/30/11	8,339	7,313	1,026
10/01/11-09/30/12	7,519	6,170	1,349
10/01/12-09/30/13	1,230	943	287

## Memberships Monthly

December 2010 - November 2011					
<u>Month</u>		<u>#</u>		<u>Amount</u>	
Dec		809		\$ 45,335	
Jan		979		\$ 54,775	
Feb		938		\$ 52,650	
Mar		1,099		\$ 62,945	
Apr		797		\$ 43,800	
May		986		\$ 52,995	
Jun		663		\$ 37,505	
Jul		536		\$ 29,020	
Aug		678		\$ 37,980	
Sept		793		\$ 44,625	
Oct		730		\$ 41,935	
Nov		722		\$ 34,595	
<b>Total:</b>		<b>9,730</b>		<b>\$ 538,160</b>	

December 2011 - November 2012					
<u>Month</u>		<u>#</u>		<u>Amount</u>	
Dec		814		\$ 41,835	
Jan		929		\$ 49,950	
Feb		1,071		\$ 58,985	
Mar		897		\$ 49,300	
Apr		762		\$ 50,335	
May		669		\$ 39,280	
Jun		495		\$ 27,465	
Jul		660		\$ 37,400	
Aug		654		\$ 36,580	
Sept		592		\$ 32,520	
Oct		443		\$ 25,770	
Nov		675		\$ 34,320	
<b>Total:</b>		<b>8,661</b>		<b>\$ 483,740</b>	

December 2012 - November 2013					Accumul ated total
<u>Month</u>		<u>#</u>		<u>Amount</u>	
Dec		697		\$ 38,440	697
Jan		722		\$ 40,415	1,419
Feb		591		\$ 31,495	2,010
Mar		713		\$ 37,725	2,723
Apr		841		\$ 48,235	3,564
May		624		\$ 35,595	4,188
Jun		595		\$ 32,815	4,783
Jul		591		\$ 32,590	5,374
Aug		540		\$ 30,030	5,914
Sept		508		\$ 29,165	6,422
Oct					
Nov					
<b>Total:</b>		<b>6,422</b>		<b>\$ 356,505</b>	

## Membership Totals

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Jan	7,643	15,869	17,498	16,980	17,421	17,204	17,432	17,829	17,161	15,243	12,983	10,693	9,675	9,978	8,644
Feb	10,039	16,116	16,805	16,779	17,271	17,127	17,488	17,851	17,095	15,207	12,802	10,504	9,788	10,087	8,342
Mar	11,921	16,448	16,563	16,865	17,162	17,250	17,674	17,990	16,913	14,711	12,610	10,549	9,820	10,016	8,309
Apr	12,881	16,806	16,585	17,013	17,117	17,282	17,818	17,975	16,719	14,981	12,431	10,464	9,820	10,000	8,304
May	0	0	16,660	17,173	16,984	17,448	17,961	18,035	16,711	14,913	12,278	10,412	10,134	9,761	8,243
Jun	14,715	17,188	16,765	17,281	17,085	17,455	18,132	18,114	16,571	14,863	12,151	10,288	10,127	9,704	8,306
Jul	15,358	17,413	16,787	17,393	17,129	17,641	18,211	18,154	16,539	14,767	12,046	10,242	10,023	9,751	8,281
Aug	16,217	17,535	16,960	17,449	17,145	17,753	18,266	18,147	16,602	14,525	11,862	10,200	10,027	9,690	8,246
Sept	16,564	17,777	17,071	17,548	17,213	17,882	18,327	18,248	16,391	14,346	11,728	10,150	10,349	9,559	8,153
Oct	17,217	17,862	17,164	17,622	17,326	17,704	18,375	18,316	16,345	14,264	11,666	10,126	10,440	9,322	
Nov	17,993	17,969	17,361	17,727	17,430	17,678	18,508	18,234	16,200	14,148	11,627	10,129	10,440	9,340	
Dec	0	18,038	17,429	17,679	17,548	17,910	18,457	18,194	16,152	14,028	10,942	9,691	10,048	8,795	