

The Honorable Edward Whitfield
U.S. House of Representatives 1995-2016
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The Honorable Jan Schakowsky
Chairwoman
U.S. House Subcommittee on Consumer Protection and Commerce
2125 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Gus Bilirakis
Ranking Member
U.S. House Subcommittee on Consumer Protection and Commerce
2322 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairwoman Schakowsky and Ranking Member Bilirakis:

I write today with gratitude and thanks to you for advancing in your Subcommittee both the Prevent All Soring Tactics (PAST) Act and Save America's Forgotten Equines (SAFE) Act. Both of you are big animal lovers and advocates, but I want to pay special tribute to Chairwoman Schakowsky for leading the fight for so many years for the humane and decent treatment of all horses.

When I served in Congress, I led prior iterations of the anti-slaughter and anti-soring bills. It was my honor to do so. In fact, I was the original author of the PAST Act after the U.S. Dept. of Agriculture's Office of Inspector General released an audit of the Horse Protection Program in 2010.

I also carried anti-slaughter legislation, and in 2006, I worked with Reps. John Sweeney, Nick Rahall, and others to have a floor vote on an anti-slaughter bill. We won very convincingly, but it died on the vine in the Senate. The fate of that bill reminds me in writing to you that we must have a two-chamber strategy for these bills if we want to protect horses.

When I first authored and introduced the Prevent All Soring Tactics (PAST) Act in the fall of 2012, I did so with the best of intentions, working with the American Horse Council, animal protection groups, veterinary groups, and other interested parties.

It was of course terribly disappointing to see such fierce opposition to the measure from every major Tennessee Walking, Racking, and Spotted Saddle horse group in the U.S., and some of our colleagues in the Southeastern U.S. Despite the vehemence of their positions, we immediately built incredible momentum for the PAST Act, securing a remarkable 308 House cosponsors and 60 Senate cosponsors in the 113th Congress. But even with those supermajorities in both chambers, we didn't get a vote in either the House or Senate during my long tenure in the House, despite making an effort every single Congress.

After my retirement, the measure passed the House in 2019 under a new rule that allowed legislation with 290 or more cosponsors in the House to avert the committee process and see a vote before the full House. I was so pleased that the bill was renamed in honor of the late U.S. Senator Joseph D. Tydings, D-MD. Even though the House bill secured 333 House votes, the PAST Act barely got a second look in the Senate. We've pushed it for a

decade and there has been zero progress in the Senate, despite the excellent leadership of Senators Mark Warner, Mike Crapo, and so many other supporters there.

Many of us who have pressed for enactment of the PAST Act have done so at great personal cost, and this effort has not been one for the faint of heart. Soring has persisted for more than 60 years at this stage in the game, and it is time for revisions to the PAST Act to be made in order to secure its enactment. We continue to see opposition from most of the Tennessee Congressional Delegation. Even former Vice-President Al Gore, when he was a sitting U.S. Senator from the Volunteer State, wouldn't take on the issue and support amendments to the Horse Protection Act of 1970.

When I first drafted the PAST Act with legislative counsel, we did not consider input from the Tennessee Walking Horse Breeders' & Exhibitors' Association, the Tennessee Walking Horse National Celebration, the Walking Horse Owners Association, the Walking Horse Trainers Association, or any of the related groups in the Racking and Spotted Saddle horse breeds the legislation also impacts. At that time, perhaps they would not have offered anything constructive. But now, after 10 years of legislative jockeying, they seem to recognize that they cannot tolerate gross abuses of horses and maintain any measure of credibility within the equine community or the broader public. Their mistreatment of horses is disgraceful.

It's time now to have a legislative strategy that can prevail in both chambers. That will require amendments to the PAST Act. Two great lawmakers, Reps. Kurt Schrader and Ted Yoho, negotiated terms with the industry last Congress, and as veterinarians, they had special credibility on the topic. It didn't get done because some lawmakers and groups didn't want to see any changes to the original bill. I understand that instinct, but if we want to see statutory changes to ban soring, we've got to work on provisions that can win the support of the Senators from Kentucky and Tennessee. Amendments are necessary if we want progress. I say this as the lawmaker who introduced the original bill language and fought for it through the end of my career in Congress.

I hope you will consider legislating in a way that produces a bill that can pass both chambers. I have no doubt that the late U.S. Senator Joe Tydings would be in full support of revisions to the PAST Act as well.

Sincerely,

A handwritten signature in blue ink that reads "Ed Whitfield". The signature is written in a cursive style with a large, sweeping initial "E".

Ed Whitfield
U.S. Representative, KY-01, Retired