

RESOLUTION NO. \_\_\_\_\_, SERIES 2019

**A RESOLUTION URGING THE UNITED STATES DEPARTMENT OF AGRICULTURE TO REINSTATE ITS FINAL RULE AMENDING REGULATIONS UNDER THE HORSE PROTECTION ACT AND URGING THE KENTUCKY DELEGATION TO THE US SENATE TO CO-SPONSOR, VOTE IN FAVOR OF, AND HELP SECURE ENACTMENT OF THE PREVENT ALL SORING TACTICS (PAST) ACT IN THE UNITED STATES SENATE.**

**SPONSORED BY: COUNCILMEMBER WINKLER**

**WHEREAS**, historically, Tennessee Walking Horses, Racking Horses, and Spotted Saddle Horses have been subjected to soring;

**WHEREAS**, the soring of horses is cruel and inhumane, as it is the intentional infliction of pain on a horse's legs or hooves to force the horse to perform an artificial, exaggerated gait;

**WHEREAS**, horses shown or exhibited which are sore, where such soreness improves the performance of such horses in certain show classes, compete unfairly with horses which are not sore;

**WHEREAS**, the movement, showing, exhibition, or sale of sore horses in interstate commerce, and soring horses for such purposes, adversely affects and burdens interstate and foreign commerce in many ways, including by creating unfair competition, by deceiving the spectating public and horse buyers, and by negatively impacting horse sales;

**WHEREAS**, all horses which are subject to regulation under the federal Horse Protection Act are either in interstate or foreign commerce, or substantially affect such commerce;

**WHEREAS**, regulation under the federal Horse Protection Act by the U.S. Secretary of Agriculture is appropriate to prevent and eliminate burdens upon commerce and to effectively regulate commerce;

**WHEREAS**, despite federal regulations in effect related to inspection for purposes of ensuring that horses are not sore, violations of the federal Horse Protection Act continue to be prevalent in the Tennessee Walking Horse, Racking Horse, and Spotted Saddle Horse breeds;

**WHEREAS**, the Inspector General of the U.S. Department of Agriculture determined that the program through which the U.S. Secretary of Agriculture inspects horses is inadequate for preventing soring and that the industry self-policing system on which the USDA relies has been a failure fraught with conflicts of interest;

**WHEREAS**, the U. S. House of Representatives passed the Prevent All Soring Tactics (PAST) Act, H.R. 693, on July 25, 2019, by an overwhelming bipartisan vote of 333-96 to end industry self-policing, eliminate the use of devices integral to soring, and strengthen penalties in the Horse Protection Act;

**WHEREAS**, the same legislation already passed the Senate Committee on Commerce, Science, and Transportation in 2014; and

**WHEREAS**, an identical bill, S. 1007, is pending in the U.S. Senate with the bipartisan support of 47 cosponsors currently;

**NOW THEREFORE BE IT RESOLVED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AS FOLLOWS:**

**SECTION I:** The Council urges the U.S. Department of Agriculture to reinstate the final rule for the protection of horses from soring under the Horse Protection Act (HPA)

that was duly issued, prescribed, promulgated, and announced by the USDA on its website in 2017, but subsequently withdrawn.

**SECTION II:** The Council further urges the Kentucky delegation to the United States Senate to co-sponsor, vote in favor of, and help secure enactment of the Prevent All Soring Tactics (PAST) Act, a copy of which is attached hereto and shall be sent to each of Kentucky's U.S. Senators.

**SECTION III:** A copy of this resolution shall be sent to each of Kentucky's U.S. Senators and to the Secretary of the U.S. Department of Agriculture.

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H. Stephen Ott  
Metro Council Clerk

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David James  
President of the Council

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Greg Fischer  
Mayor

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Approval Date

**APPROVED AS TO FORM AND LEGALITY:**

Michael J. O'Connell  
Jefferson County Attorney

By: \_\_\_\_\_

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