submit comments and concerns regarding such programs.

Now is the time to secure our supply chain and give local manufacturers in my home State of New York and across our great Nation the tools they need to identify the Federal support they will need to help them flourish.

I thank Representatives AXNE and UPTON, as well as Senator PETERS, for being great collaborators on this bill. I urge my colleagues to come together to bolster our United States manufacturing arena.

Mr. BILIRAKIS. Mr. Speaker, I encourage us to pass this bill as soon as possible in a bipartisan fashion, and I yield back the balance of my time.

Mr. PALLONE. Mr. Speaker, I urge my colleagues to support this on a bipartisan basis. It is certainly a goal of this Congress to bring back manufacturing and do whatever we can to encourage domestic manufacturing.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 6290, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ROSENDALE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

PREVENT ALL SORING TACTICS ACT OF 2021

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5441) to amend the Horse Protection Act to designate additional unlawful acts under the Act, strengthen penalties for violations of the Act, improve Department of Agriculture enforcement of the Act, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5441

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Prevent All Soring Tactics Act of 2022'' or the ''PAST Act of 2022''.

SEC. 2. INCREASED ENFORCEMENT UNDER HORSE PROTECTION ACT.

(a) DEFINITIONS.—Section 2 of the Horse Protection Act (15 U.S.C. 1821) is amended—

(1) by redesignating paragraphs (1), (2), (3), and (4) as paragraphs (2), (3), (4), and (5), respectively;

(2) by inserting before paragraph (2) (as so redesignated) the following new paragraph:

''(1)(A) The term 'action device' means any boot, collar, chain, roller, or other device that encircles or is placed upon the lower extremity of the leg of a horse in such a manner that it can—

''(i) rotate around the leg or slide up and down the leg, so as to cause friction; or

''(ii) strike the hoof, coronet band, fetlock joint, or pastern of the horse.

''(B) Such term does not include soft rubber or soft leather bell boots or quarter boots that are used as protective devices.''; and

(3) by adding at the end the following new paragraph:

''(6)(A) The term 'participate' means engaging in any activity with respect to a horse show, horse exhibition, or horse sale or auction, including—

''(i) transporting or arranging for the transportation of a horse to or from a horse show, horse exhibition, or horse sale or auction;

''(ii) personally giving instructions to an exhibitor; or

''(iii) being knowingly present in a warm-up area, inspection area, or other area at a horse show, horse exhibition, or horse sale or auction that spectators are not permitted to enter.

''(B) Such term does not include spectating.''.

(b) FINDINGS.—Section 3 of the Horse Protection Act (15 U.S.C. 1822) is amended—

(1) in paragraph (3)—

(A) by inserting ''and soring horses for such purposes'' after ''horses in intrastate commerce''; and

(B) by inserting ''in many ways, including by creating unfair competition, by deceiving the spectating public and horse buyers, and by negatively impacting horse sales'' before the semicolon;

(2) in paragraph (4), by striking ''and'' at the end;

(3) in paragraph (5), by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following new paragraphs:

''(6) the Inspector General of the Department of Agriculture has determined that the program through which the Secretary inspects horses is inadequate for preventing soring;

''(7) historically, Tennessee Walking Horses, Racking Horses, and Spotted Saddle Horses have been subjected to soring; and

''(8) despite regulations in effect related to inspection for purposes of ensuring that horses are not sore, violations of this Act continue to be prevalent in the Tennessee Walking Horse, Racking Horse, and Spotted Saddle Horse breeds.''.

(c) HORSE SHOWS AND EXHIBITIONS.—Section 4 of the Horse Protection Act (15 U.S.C. 1823) is amended—

(1) in subsection (a)—

(A) by striking ''appointed'' and inserting ''licensed''; and

(B) by adding at the end the following new sentences: ''In the first instance in which the Secretary determines that a horse is sore, the Secretary shall disqualify the horse from being shown or exhibited for a period of not less than 180 days. In the second instance in which the Secretary determines that such horse is sore, the Secretary shall disqualify the horse for a period of not less than one year. In the third instance in which the Secretary determines that such horse is sore, the Secretary shall disqualify the horse for a period of not less than three years.'';

(2) in subsection (b) by striking ''appointed'' and inserting ''licensed'';

(3) by striking subsection (c) and inserting the following new subsection:

''(c)(1)(A) The Secretary shall prescribe by regulation requirements for the Department of Agriculture to license, train, assign, and oversee persons qualified to detect and diagnose a horse which is sore or to otherwise inspect horses at horse shows, horse exhibitions, or horse sales or auctions, for hire by the management of such events, for the purposes of enforcing this Act.

''(B) No person shall be issued a license under this subsection unless such person is free from conflicts of interest, as defined by the Secretary in the regulations issued under subparagraph (A).

''(C) If the Secretary determines that the performance of a person licensed in accordance with subparagraph (A) is unsatisfactory, the Secretary may, after notice and an opportunity for a hearing, revoke the license issued to such person.

''(D) In issuing licenses under this subsection, the Secretary shall give a preference to persons who are licensed or accredited veterinarians.

''(E) Licensure of a person in accordance with the requirements prescribed under this subsection shall not be construed as authorizing such person to conduct inspections in a manner other than that prescribed for inspections by the Secretary (or the Secretary's representative) under subsection (e).

''(2)(A) Not later than 30 days before the date on which a horse show, horse exhibition, or horse sale or auction begins, the management of such show, exhibition, or sale or auction may notify the Secretary of the intent of the management to hire a person or persons licensed under this subsection and assigned by the Secretary to conduct inspections at such show, exhibition, or sale or auction.

''(B) After such notification, the Secretary shall assign a person or persons licensed under this subsection to conduct inspections at the horse show, horse exhibition, or horse sale or auction.

''(3) A person licensed by the Secretary to conduct inspections under this subsection shall issue a citation with respect to any violation of this Act recorded during an inspection and notify the Secretary of each such violation not later than five days after the date on which a citation was issued with respect to such violation.''; and

(4) by adding at the end the following new subsection:

''(f) The Secretary shall publish on the public website of the Animal and Plant Health Inspection Service of the Department of Agriculture, and update as frequently as the Secretary determines is necessary, information on violations of this Act for the purposes of allowing the management of a horse show, horse exhibition, or horse sale or auction to determine if an individual is in violation of this Act.''.

(d) UNLAWFUL ACTS.—Section 5 of the Horse Protection Act (15 U.S.C. 1824) is amended—

(1) in paragraph (2)—

(A) by striking ''or (C) respecting'' and inserting ''(C), or (D) respecting''; and

(B) by striking ''and (D)'' and inserting ''(D) causing a horse to become sore or directing another person to cause a horse to become sore for the purpose of showing, exhibiting, selling, auctioning, or offering for sale the horse in any horse show, horse exhibition, or horse sale or auction, and (E)'';

(2) in paragraph (3), by striking ''appoint'' and inserting ''hire'';

(3) in paragraph (4)—

(A) by striking ''appoint'' and inserting ''hire''; and

(B) by striking ''qualified'';

(4) in paragraph (5), by striking ''appointed'' and inserting ''hired'';

(5) in paragraph (6)—

(A) by striking ''appointed'' and inserting ''hired''; and

(B) by inserting ''that the horse is sore'' after ''the Secretary''; and

(6) by adding at the end the following new paragraphs:

''(12) The use of an action device on any limb of a Tennessee Walking Horse, a

Racking Horse, or a Spotted Saddle Horse at a horse show, horse exhibition, or horse sale or auction.

''(13) The use of a weighted shoe, pad, wedge, hoof band, or other device or material at a horse show, horse exhibition, or horse sale or auction that—

''(A) is placed on, inserted in, or attached to any limb of a Tennessee Walking Horse, a Racking Horse, or a Spotted Saddle Horse;

''(B) is constructed to artificially alter the gait of such a horse; and

''(C) is not strictly protective or therapeutic in nature.''.

(e) VIOLATIONS AND PENALTIES.—Section 6 of the Horse Protection Act (15 U.S.C. 1825) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking ''Except as provided in paragraph (2) of this subsection, any person who knowingly violates section 5'' and inserting ''Any person who knowingly violates section 5 or the regulations issued under such section, including any violation recorded during an inspection conducted in accordance with section 4(c) or 4(e)''; and

(ii) by striking ''more than $3,000, or imprisoned for not more than one year, or both.'' and inserting ''more than $5,000, or imprisoned for not more than three years, or both, for each such violation.'';

(B) in paragraph (2)—

(i) by striking subparagraph (A);

(ii) by striking ''(2)''; and

(iii) by redesignating subparagraphs (B) and (C) as paragraphs (2) and (3), respectively, and moving the margins of such paragraphs (as so redesignated) two ems to the left; and

(C) by adding at the end the following new paragraph:

''(4) Any person who knowingly fails to obey an order of disqualification shall, upon conviction thereof, be fined not more than $5,000 for each failure to obey such an order, imprisoned for not more than three years, or both.'';

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking ''section 5 of this Act'' and inserting ''section 5 or the regulations issued under such section''; and

(ii) by striking ''$2,000'' and inserting ''$4,000''; and

(B) by adding at the end the following new paragraph:

''(5) Any person who fails to pay a licensed inspector hired under section 4(c) shall, upon conviction thereof, be fined not more than $4,000 for each such violation.''; and

(3) in subsection (c)—

(A) in the first sentence—

(i) by inserting '', or otherwise participating in any horse show, horse exhibition, or horse sale or auction'' before ''for a period of not less than one year''; and

(ii) by striking ''any subsequent'' and inserting ''the second'';

(B) by inserting before ''Any person who knowingly fails'' the following: ''For the third or any subsequent violation, a person may be permanently disqualified by order of the Secretary, after notice and an opportunity for a hearing before the Secretary, from showing or exhibiting any horse, judging or managing any horse show, horse exhibition, or horse sale or auction, or otherwise participating in, including financing the participation of other individuals in, any horse show, horse exhibition, or horse sale or auction (regardless of whether walking horses are shown, exhibited, sold, auctioned, or offered for sale at the horse show, horse exhibition, or horse sale or auction).''; and

(C) by striking ''$3,000'' each place it appears and inserting ''$5,000''.

(f) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Agriculture shall issue regulations to carry out the amendments made by this section, including regulations prescribing the requirements under subsection (c) of section 4 of the Horse Protection Act (15 U.S.C. 1823(c)), as amended by subsection (c)(3).

(g) SEVERABILITY.—If any provision of this Act or any amendment made by this Act, or the application of a provision to any person or circumstance, is held to be unconstitutional, the remainder of this Act and the amendments made by this Act, and the application of the provisions to any person or circumstance, shall not be affected by the holding.

SEC. 3. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Florida (Mr. BILIRAKIS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 5441.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PALLONE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise to speak in support of H.R. 5441, the Prevent All Soring Tactics Act of 2021.

This important bill will protect horses from cruel and inhumane practices. It is necessary because today there are gaps in our animal welfare laws that have left these innocent animals vulnerable to abuse.

Despite a national ban, the abusive and barbaric practice of soring continues. Soring is a process of applying an irritating or blistering agent to the limb of a horse to accentuate the horse's gait, which may cause a horse to move with exaggerated high steps. In the 1950s and 1960s, some exhibitors used soring to improve the performance of show horses. To end this abuse, Congress passed the Horse Protection Act in 1970 to prohibit soring at horse shows, horse sales, and other horse exhibitions.

Unfortunately, despite this prohibition, soring continues today. The U.S. Department of Agriculture Inspector General found that the USDA's program for inspecting horses for soring does not adequately prevent abuse. According to the Inspector General, the program faces significant limitations. There are inadequate inspections and enforcement as the USDA relies on industry inspectors with inherent conflicts of interest. The Inspector General also found that there is insufficient information sharing and distribution, which has made it more difficult to punish violators and enforce suspensions.

The PAST Act will help end this intolerable abuse of horses by strengthening the protections and penalties for soring. This legislation requires the USDA to prescribe regulations for the licensing, training, assignment, and oversight of people responsible for detecting and diagnosing a sore horse. It also increases penalties to imprisonment up to 3 years and fines up to $5,000 per violation. The legislation mandates that the USDA publish on a website information on violations to improve the enforcement of suspensions.

I thank Representative COHEN for his leadership on this legislation, which passed out of the Committee on Energy and Commerce with strong bipartisan support in September.

Mr. Speaker, I encourage my colleagues to support this bill to help us bring an end to this cruel treatment of horses, and I reserve the balance of my time.

Mr. BILIRAKIS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 5441, the Prevent All Soring Tactics Act of 2021, or the PAST Act.

Soring is the practice of using chemicals, sadly inflicting pain on the front feet of a horse when they touch the ground, with the intent to cause the horse to quickly raise its feet high off the ground.

This legislation will require the Secretary of Agriculture to issue rules for licensing, training, assigning, and overseeing persons to be qualified to detect and diagnose a sore horse and will prohibit the use of certain devices on horse breeds that have a history of being sored. This legislation will also increase capabilities for the USDA to enforce soring violations under the Horse Protection Act.

□ 1630

Americans throughout the country hold horses in high regard, myself included, including constituents, of course, in my district, who care deeply for the humane treatment of these beautiful animals.

I thank Representative COHEN and the 263 cosponsors of this legislation for their work to protect horses, and I urge my colleagues to support this.

Mr. Speaker, I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield 3 minutes to the gentleman from Tennessee (Mr. COHEN), the sponsor of this legislation.

Mr. COHEN. Mr. Speaker, I thank the chairman, the ranking member, and the entire committee for their work in passing this bill out of committee. I know it was somewhat contentious. It shouldn't have been, but it was.

I rise in strong support of H.R. 5441, the Prevent All Soring Tactics Act, acronym, the PAST Act, which I proudly introduced with several prime cosponsors who worked on it, including BRIAN FITZPATRICK, JAN SCHAKOWSKY, and VERN BUCHANAN. Mr. BUCHANAN, like Mr. BILIRAKIS, is a Member of the class of 2006, of which I am, as well.

The PAST Act will shut down the cruel practice of horse soring, which has been described here on the floor. It is a horrendous practice that horse trainers have used in the Tennessee Walking, Spotted Saddle, and Racking Horse shows.

The horses have a beautiful gait to start with. They have a natural gait, a smooth, natural gait. It is revered in Tennessee. It used to be Tennessee Walkers paraded at the University of Tennessee football games to great applause and great thrill of the fans.

However, some people, to make it even more imposing, took away their natural gait, which is enough of a miracle and enjoyment to watch, and put in these soring practices to get a high gait, extremely high gait, known as the Big Lick. The Big Lick is wrong. To achieve the Big Lick, horse trainers irritate or blister a horse's forelegs through the application of caustic chemicals such as mustard oil, cut the horse's hooves painfully short, or use mechanical devices to inflict pain, all of which is reprehensible. Anyone who cares about horses realizes they have lives and senses, and as well, they suffer pain just like every other animal does.

Far too often, those involved in showing the Tennessee Walking Horses have turned a blind eye to this abusive act of the trainers. They do little to try to police it, and the penalties are so minor it does nothing to prevent this barbaric act.

I have led this legislation for years. My chief of staff, Marilyn Dillihay, has been strongly supportive of this. As we all know, we work for our constituents and then for our chief of staff.

The PAST Act would codify key elements of the Horse Protection Act rule that the USDA finalized in January of 2017 by eliminating the failed system of industry self-policing and prohibited the use of devices that are integral to the soring practice and Big Lick. It would also strengthen penalties and increase consequences for individuals caught soring a horse.

I thank Chairman PALLONE and Chairwoman SCHAKOWSKY for their support and work on this bill. I also particularly thank Priscilla Presley, Elvis' widow. Priscilla and Elvis had Tennessee Walkers at Graceland. They loved their Tennessee Walking Horses, which had a natural gait, and Priscilla has lobbied on this for many years and come to many activities, encouraging the passage of this act.

Priscilla Presley is a pretty amazing human being, and this is one of the areas where she has surpassed just being the spouse of the rock and roll legend, Elvis Presley, and being a star in her own right in many ways.

I thank the 263 bipartisan Members who cosponsored the bill and the hundreds of stakeholder groups and individuals who have lent their support, including the Humane Society, the American Horse Council, U.S. Equestrian Federation, American Veterinary Medical Association, American Association of Equine Practitioners, the State veterinary organizations of all 50 States, National Sheriffs' Association, and the Association of Prosecuting Attorneys.

The plague of soring has marred the Tennessee Walking Horse and related breeds for more than six decades. I am proud to lead the fight to end it. We are going to end it.

Mr. BILIRAKIS. Mr. Speaker, I yield 4 minutes to the gentleman from Tennessee (Mr. ROSE), the great State of Tennessee.

Mr. ROSE. Mr. Speaker, I thank the gentleman for allowing me time to speak on this bill today.

Mr. Speaker, I include for the RECORD a letter from the Tennessee Farm Bureau and Kentucky Farm Bureau Federations opposing H.R. 5441.

NOVEMBER 14, 2022.

Honorable MEMBERS OF CONGRESS,
House of Representatives,
Washington, DC.

DEAR MEMBERS OF CONGRESS: Please accept this letter as a statement of opposition to H.R. 5441, the Prevent All Soring Tactics (PAST) Act by the Kentucky Farm Bureau and Tennessee Farm Bureau.

The PAST Act is misleading in its strategies and purpose and sets a dangerous precedent for animal agriculture. Please take the time to review it closely and understand this initiative and the agenda of the Humane Society of the United States (HSUS). While the PAST Act expressly targets Walking Horses, this push by the HSUS brings to question which segment of animal-based agriculture will be targeted next.

Supporters of the PAST Act argue the bill will ''eliminate soring'' within the Walking Horse Industry. However, soring is essentially nonexistent today. The bill professes to end soring by banning hoof pads and action devices which are used in Walking Horse performance shows, and implies such items cause soring. Hoof pads and action devices do not cause soring. Hoof pads are used to provide protection from ground force, to accentuate movement, and balance motion. These pads are used in many breeds other than the Walking Horse including the American Paint Horse, American Quarter Horse, American Saddlebred, and Morgan breeds. An action device is a band/chain weighing six (6) ounces or less. We are not aware of a study that indicates action devices or pads produce pain or cause tissue damage.

The Tennessee Walking Horse is the most inspected horse in the world. The industry and its shows maintain a compliance rate with the Horse Protection Act that averages 99 percent. This rate is significant considering the inspection process today is almost 100 percent subjective.

The PAST Act eliminates the organizations established by Congress in the original Horse Protection Act called Horse Industry Organizations (HIOs). These independent organizations provide inspectors for shows and are trained and certified by the U.S. Department of Agriculture (USDA). Without HIOs, the PAST Act requires an increase in the USDA's workforce as well as additional employees for the U.S. Department of Justice. The Congressional Budget Office numbers reflect this cost.

We urge you to not accept the mistreatment claims from years past as true today. Visit a Walking Horse farm and see the horses. Visit with a horse owner, trainer, farrier and their veterinarians. Contact your state Farm Bureau, the Tennessee Farm Bureau or the Kentucky Farm Bureau if you want assistance arranging a visit or tour.

We urge you to oppose H.R. 5441.

Thank you for your consideration of this information.

Sincerely,

ERIC MAYBERRY,
President, Tennessee Farm Bureau.

MARK HANEY,
President, Kentucky Farm Bureau.

Mr. ROSE. Mr. Speaker, today I rise in opposition to H.R. 5441, the PAST Act. As an eighth-generation farmer and Tennessean, the grand tradition of Tennessee Walking Horses is among my earliest and fondest memories. We take great pride in the fact that the Tennessee Walking Horse National Celebration draws neighbors and tourists alike each year to Shelbyville, Tennessee, for our world-class showcase.

However, over the years, this grand tradition has, on occasion, been marred by a few bad actors looking to gain a competitive edge at the unfair expense of the hundreds of other Walking Horse exhibitors who do things right, and at the grossly unacceptable expense of the horses themselves that suffer from the cruel and unconscionable technique known in the industry as soring.

Those who sore our Tennessee Walking Horses compromise the integrity of the competition, put a stain on what has long been a wonderful family-oriented tradition, and by far most importantly subject our prized Tennessee Walking Horses to harm and suffering. I can assure you that we in Tennessee stand strongly against this vile technique.

My strong disgust to soring is actually why I rise today in opposition to the PAST Act. This bill is not the best solution to end this cruel practice. While I appreciate the sincere motives of those supporting this bill, I call on my colleagues to consider another better solution.

I am a proud original cosponsor of H.R. 6341, the Protecting Horses from Soring Act of 2021, authored by my friend and colleague from Tennessee, Congressman SCOTT DESJARLAIS. This bill works to end soring in another way that is fair to those acting properly and humanely and provides timely consequences for those who are not.

Inspections must be objective, but the PAST Act does not correct the subjective process currently used. My colleague's bill, H.R. 6341, creates a framework for consistent, scientific, and objective inspections. The bill also prevents conflicts of interest and suspends horses from shows if they are found to be sore.

Industry wide, the current compliance rate is between 96 and 99 percent, which is an increase from the 92 to 95 percent compliance rate that the industry had when we debated this bill last Congress. This is a 4 percent increase in less than 3 years. These compliance rates are based on USDA standards.

Overall, the Walking Horse industry has a USDA compliance rate higher than even the food industry achieves. With that record, the rate of catching bad actors at this point is, of course, extremely low. Those low rates mean we must be vigilant if we are going to find and stop the remaining bad actors. Vigilance will require a new system.

The PAST Act does not create a scientific, objective process for inspections, and until we have that, the remaining bad actors will continue to go under the radar, while those acting with integrity could be treated unfairly. The PAST Act is the wrong approach and will actually be counterproductive.

It is because of these concerns that I will oppose the PAST Act today and call upon my colleagues to also oppose it and instead stand with me in truly stopping soring by supporting H.R. 6341, the Protecting Horses from Soring Act of 2021.

Mr. BILIRAKIS. Mr. Speaker, I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. BLUMENAUER), the chair of the Animal Protection Caucus.

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentleman's courtesy in allowing me to speak on this. I appreciate the leadership of Mr. COHEN. This is the culmination, hopefully, of years of struggle to try and end this barbaric practice.

There are those who are apologists for the industry. It shouldn't take this long, and repeated efforts, with hundreds of cosponsors, Congress after Congress after Congress. It has been my privilege to work with Mr. Whitfield from Kentucky, Ted Yoho, KURT SCHRADER, our colleague from Oregon, and lately the leadership of Mr. COHEN, raising the banner and moving forward.

We should have zero tolerance for this barbaric practice. Forcing horses to be tortured, looking at the devices that they use to train them to have that distinctive gait. Concrete shoes.

We have had hearing after hearing here on Capitol Hill, and whenever we have an opportunity for people to be exposed to the abuses of this industry and see these barbaric practices, people marvel that we haven't been able to stop it.

Part of the problem is the self-regulation of the industry and that there isn't a sense of urgency to stop torturing these animals.

Mr. Speaker, I have been pleased to work repeatedly with colleagues on a bipartisan basis to stop it. I don't know what the compliance rate is, whether it is 96, 97, 90. The fact is, we are talking about hundreds of horses being tortured and for no good reason.

I strongly support the legislation from my colleague and the vast coalition that has been put in place to end this barbaric practice.

Some of the champions that have been involved in the past, like the Humane Society, have been there repeatedly, working to get the support, get the cosponsors, get it passed; but despite overwhelming support, despite a terrible record in protecting horses, it has taken far too long.

I am hopeful that this Congress will finally put an end to the barbaric practice, stop temporizing, stop apologizing for those who abuse horses and end this horrific practice once and for all.

Mr. BILIRAKIS. Mr. Speaker, I yield 2 minutes to the gentleman from Kentucky (Mr. COMER).

Mr. COMER. Mr. Speaker, I rise in opposition to the PAST Act. This legislation attempts to eliminate the Walking Horse industry, which is prominent in my congressional district. The vast majority of the Tennessee Walking Horse industry is located in Tennessee and Kentucky.

The Tennessee Walking Horse is the most inspected horse in the world under current law, with both pre-show and post-competition inspections performed by both USDA inspectors and horse industry organization inspectors. The PAST Act eliminates the industry inspection entities and replaces them with new employees of the U.S. Department of Agriculture and the U.S. Justice Department, increasing bureaucracy and cost to the taxpayer.

The PAST Act is not widely supported by the horse industry. In fact, the vast majority of the active Tennessee Walking Horse industry stakeholders in my district oppose this bill and instead support Representative SCOTT DESJARLAIS' commonsense reforms and modernization of the Horse Protection Act contained in H.R. 6341, of which I am a cosponsor.

This bill fails to promote objective, science-based inspections. I oppose the PAST Act and how it will lead to the hiring of more government bureaucrats while failing to protect the horse industry from biased inspections. I encourage my fellow Members to vote against this bill.

Mr. PALLONE. Mr. Speaker, I have no additional speakers. I reserve the balance of my time.

Mr. BILIRAKIS. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. FITZPATRICK).

Mr. FITZPATRICK. Mr. Speaker, I rise today in support of H.R. 5441, the Preventing All Soring Tactics Act. As a member of the Animal Protection Caucus, I believe, like my colleagues, that we should be urging all of our colleagues to commit to ensuring our government is doing everything we can to promote animal welfare.

The bottom line is this: The antiquated and inhumane practice of soring intentionally inflicts pain on show horses for the mere purpose of winning a ribbon in a competition. Our bipartisan PAST Act, which has passed overwhelmingly, as has been pointed out, will give a voice to these suffering animals and will finally put an end to this cruel practice by banning devices integral to soring, strengthening penalties, and also holding abusers accountable for their crimes against innocent horses.

I am proud again to join Representatives COHEN, SCHAKOWSKY, and BUCHANAN in championing this bipartisan bill; which, as was mentioned, passed this House last Congress on an overwhelming bipartisan basis. I hope that after passage today it will receive swift consideration by our colleagues in the Senate.

Mr. BILIRAKIS. Mr. Speaker, in closing, I wish this bill would pass in a bipartisan fashion, so that we can get it to the Senate. I yield back the balance of my time.

□ 1645

Mr. PALLONE. Mr. Speaker, again, I urge support on a bipartisan basis for this important bill to protect horses, and I yield back the balance of my time.

Mr. DESJARLAIS. Mr. Speaker, I rise today in opposition of H.R. 5441 the Prevent All Soring Tactics (PAST) Act of 2021. This act is an unnecessary overreach that will give the federal government the ability to inflict undue harassment upon the Tennessee Walking Horse community. The call for this kind of federal oversite has been promulgated by targeted misinformation campaigns.

This legislation will add a layer of red tape that will be purposeless, and taxpayers will likely be made to bear the burden of this cost. The Tennessee Walking Horse industry has a multibillion-dollar impact on rural communities in my state and even more specifically in my district. It provides jobs to over 20,000 people and is a tourism staple. It will place an undue ban on equipment making horse shows and events impossible to put on. Equine experts themselves have said these bans are not based on scientific evidence.

No one condones the abuse of animals, but the oversite of this industry should be left up to local officials who know it best. Therefore, I have introduced H.R. 6341 the Protecting Horses from Soring Act of 2021 which will ensure that the Tennessee Walking Horse industry is regulated by state agencies and industry experts, not Washington bureaucrats. Those who participate in the abuse of these animals must be held accountable and brought to justice. For this reason, I implore to vote no on H.R. 5441 and support sensible and practical legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 5441, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ROSE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

COLLECTION, VERIFICATION, AND DISCLOSURE OF INFORMATION BY ONLINE MARKETPLACES TO INFORM CONSUMERS

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5502) to require online marketplaces to verify certain information regarding high-volume third party sellers of consumer products on such online marketplaces and to disclose to consumers certain contact and other information regarding such high-volume third party sellers, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5502

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Integrity, Notification, and Fairness in Online Retail Marketplaces for Consumers Act'' or the ''INFORM Consumers Act''.

SEC. 2. COLLECTION, VERIFICATION, AND DISCLOSURE OF INFORMATION BY ONLINE MARKETPLACES TO INFORM CONSUMERS.

(a) COLLECTION AND VERIFICATION OF INFORMATION.—

(1) COLLECTION.—

(A) IN GENERAL.—An online marketplace shall require any high-volume third party seller on such online marketplace's platform to provide, not later than 10 days after qualifying as a high-volume third party seller on the platform, the following information to the online marketplace:

(i) BANK ACCOUNT.—

(I) IN GENERAL.—A bank account number, or, if such seller does not have a bank account, the name of the payee for payments issued by the online marketplace to such seller.

(II) PROVISION OF INFORMATION.—The bank account or payee information required under subclause (I) may be provided by the seller in the following ways:

(aa) To the online marketplace.

(bb) To a payment processor or other third party contracted by the online marketplace to maintain such information, provided that the online marketplace ensures that it can obtain such information within 3 business days from such payment processor or other third party.

(ii) CONTACT INFORMATION.—Contact information for such seller as follows:

(I) With respect to a high-volume third party seller that is an individual, the individual's name.

(II) With respect to a high-volume third party seller that is not an individual, one of the following forms of contact information:

(aa) A copy of a valid government-issued identification for an individual acting on behalf of such seller that includes the individual's name.

(bb) A copy of a valid government-issued record or tax document that includes the business name and physical address of such seller.

(iii) TAX ID.—A business tax identification number, or, if such seller does not have a business tax identification number, a taxpayer identification number.

(iv) WORKING EMAIL AND PHONE NUMBER.—A current working email address and phone number for such seller.

(B) NOTIFICATION OF CHANGE; ANNUAL CERTIFICATION.—An online marketplace shall—

(i) periodically, but not less than annually, notify any high-volume third party seller on such online marketplace's platform of the requirement to keep any information collected under subparagraph (A) current; and

(ii) require any high-volume third party seller on such online marketplace's platform to, not later than 10 days after receiving the notice under clause (i), electronically certify that—

(I) the seller has provided any changes to such information to the online marketplace, if any such changes have occurred; or

(II) there have been no changes to such seller's information.

(C) SUSPENSION.—In the event that a high-volume third party seller does not provide the information or certification required under this paragraph, the online marketplace shall, after providing the seller with written or electronic notice and an opportunity to provide such information or certification not later than 10 days after the issuance of such notice, suspend any future sales activity of such seller until such seller provides such information or certification.

(2) VERIFICATION.—

(A) IN GENERAL.—An online marketplace shall—

(i) verify the information collected under paragraph (1)(A) not later than 10 days after such collection; and

(ii) verify any change to such information not later than 10 days after being notified of such change by a high-volume third party seller under paragraph (1)(B).

(B) PRESUMPTION OF VERIFICATION.—In the case of a high-volume third party seller that provides a copy of a valid government-issued tax document, any information contained in such document shall be presumed to be verified as of the date of issuance of such document.

(3) DATA USE LIMITATION.—Data collected solely to comply with the requirements of this section may not be used for any other purpose unless required by law.

(4) DATA SECURITY REQUIREMENT.—An online marketplace shall implement and maintain reasonable security procedures and practices, including administrative, physical, and technical safeguards, appropriate to the nature of the data and the purposes for which the data will be used, to protect the data collected to comply with the requirements of this section from unauthorized use, disclosure, access, destruction, or modification.

(b) DISCLOSURE REQUIRED.—

(1) REQUIREMENT.—

(A) IN GENERAL.—An online marketplace shall—

(i) require any high-volume third party seller with an aggregate total of $20,000 or more in annual gross revenues on such online marketplace, and that uses such online marketplace's platform, to provide the information described in subparagraph (B) to the online marketplace; and

(ii) disclose the information described in subparagraph (B) to consumers in a clear and conspicuous manner—

(I) on the product listing page (including via hyperlink); or

(II) in the order confirmation message or other document or communication made to the consumer after the purchase is finalized and in the consumer's account transaction history.

(B) INFORMATION DESCRIBED.—The information described in this subparagraph is the following:

(i) Subject to paragraph (2), the identity of the high-volume third party seller, including—

(I) the full name of the seller, which may include the seller name or seller's company name, or the name by which the seller or company operates on the online marketplace;

(II) the physical address of the seller; and

(III) contact information for the seller, to allow for the direct, unhindered communication with high-volume third party sellers by users of the online marketplace, including—

(aa) a current working phone number;

(bb) a current working email address; or

(cc) other means of direct electronic messaging (which may be provided to such seller by the online marketplace), provided that the requirements of this item shall not prevent an online marketplace from monitoring communications between high-volume third party sellers and users of the online marketplace for fraud, abuse, or spam.

(ii) Whether the high-volume third party seller used a different seller to supply the consumer product to the consumer upon purchase, and, upon the request of an authenticated purchaser, the information described in clause (i) relating to any such seller that supplied the consumer product to the purchaser, if such seller is different than the high-volume third party seller listed on the product listing prior to purchase.

(2) EXCEPTION.—

(A) IN GENERAL.—Subject to subparagraph (B), upon the request of a high-volume third party seller, an online marketplace may provide for partial disclosure of the identity information required under paragraph (1)(B)(i) in the following situations:

(i) If such seller certifies to the online marketplace that the seller does not have a business address and only has a residential street address, or has a combined business and residential address, the online marketplace may—

(I) disclose only the country and, if applicable, the State in which such seller resides; and

(II) inform consumers that there is no business address available for the seller and that consumer inquiries should be submitted to the seller by phone, email, or other means of electronic messaging provided to such seller by the online marketplace.

(ii) If such seller certifies to the online marketplace that the seller is a business that has a physical address for product returns, the online marketplace may disclose the seller's physical address for product returns.

(iii) If such seller certifies to the online marketplace that the seller does not have a phone number other than a personal phone number, the online marketplace shall inform consumers that there is no phone number available for the seller and that consumer inquiries should be submitted to the seller's email address or other means of electronic messaging provided to such seller by the online marketplace.

(B) LIMITATION ON EXCEPTION.—If an online marketplace becomes aware that a high-volume third party seller has made a false representation to the online marketplace in order to justify the provision of a partial disclosure under subparagraph (A) or that a high-volume third party seller who has requested and received a provision for a partial disclosure under subparagraph (A) has not provided responsive answers within a reasonable time frame to consumer inquiries submitted to the seller by phone, email, or other means of electronic messaging provided to such seller by the online marketplace, the online marketplace shall, after providing the seller with written or electronic notice and an opportunity to respond not later than 10