

Testimony of
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American Quarter Horse Association
Senate Committee on Commerce, Science, and Transportation
Medication and Performance-Enhancing Drugs in Horse Racing
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Mr. Chairman and Distinguished Members of the Committee, thank you for the opportunity to testify today on behalf of the American Quarter Horse Association and our industry.

My name is Matt Witman, and I am a horseman, AQHA National Director and Chairman of AQHA's Racing Committee and Racing Council. I was born and raised around racehorses and it has always been a part of my life and livelihood. Today, I am here to discuss with you what AQHA is doing and what we feel the industry needs to do for the betterment of our horses, horsemen, and the trust of our fans.

The American Quarter Horse Association is the world's largest equine breed registry and membership organization, having registered nearly six million horses and with a membership roster of nearly 300,000 members worldwide. The mission of the American Quarter Horse Association is to:

- To record and preserve the pedigrees of the American Quarter Horse while maintaining the integrity of the breed.
- To provide beneficial services for its members that enhance and encourage American Quarter Horse ownership and participation.
- To develop diverse educational programs, material and curriculum that will position AQHA as the leading resource organization in the equine industry.
- To generate growth of AQHA membership via the marketing, promotion, advertising and publicity of the American Quarter Horse.

Located in Amarillo, Texas, AQHA functions as the official record-keeping body of the American Quarter Horse industry. It records all American Quarter Horse ownership, processes approved show and race results, catalogs performance and produce data on all American Quarter Horses, and publicizes the American Quarter Horse industry.

In addition, AQHA maintains current statistics on ownership in each state and country as well as American Quarter Horse population figures.

As a breed registry and membership organization, AQHA is dependent upon state racing commissions and the various regulatory bodies to enforce the rules of racing, ensure proper drug testing procedures are in place at racetracks and guard the integrity of racing for the wagering public. AQHA's rules do not supersede state laws or individual state racing commission rules. Unfortunately, uniform rules do not exist in our sport and many times, racing jurisdiction that are legislated on the state level are vastly different, with no two being alike. However, we are working toward uniformity and stricter penalties.

As a person who has spent his entire life involved in horse racing, I can think of no other time in our sport's history that we have come under the amount and type of scrutiny that we are experiencing today. That's largely due to media articles on horse racing, that have sounded an alarm and where American Quarter Horse racing was characterized as an anything-goes sport, where 2-year-old American Quarter Horses are an expendable commodity owned and trained by those with a "win-at-all-costs" attitude. That's not the industry I know and to the American Quarter Horse Association that attitude is unacceptable.

As a person involved in the industry and as a leader within the American Quarter Horse Association, I can tell you that American Quarter Horse owners look at their horses as extensions of their families, with many taking great pride in seeing their prized horses go on to enjoy success after their racing careers conclude. To characterize the sport as anything less, or to state that owners of the breed are uncaring, unsympathetic or uninvolved is irresponsible and inaccurate. While there might be some in the racing industry who are corrupt, as with any industry, the majority of American Quarter Horse owners are honest people who put the best interests of their horses first.

No one wants to have a horse or jockey die, or have a career end as a result of racing, training, inhumane practices or poor stewardship, which would include using illegal and/or illicit performance-enhancing drugs. AQHA agrees that one incident of illegal doping or any horse suffering because of unscrupulous individuals involved in our industry, is one too many. And AQHA steadfastly supports efforts to rid the industry of drugs deemed performance-enhancing and most certainly of anyone who uses these drugs to harm horses, their riders or an unsuspecting public.

The American Quarter Horse Association continues its longstanding support of the racing industry and its horsemen. This includes racing that is clean, fair and provides a great experience for the horse, jockey, owner and fan base. AQHA continuously works to ensure not only the integrity and welfare of American Quarter Horses, but also the integrity and welfare of the entire horse industry.

Because the welfare of the American Quarter Horse is paramount to all other considerations, AQHA's role in preserving the integrity of the breed is expanding on a daily basis, and the Association has taken a leadership role in numerous areas to improve the welfare of the horse regardless of how it is used and enjoyed.

AQHA advocates for the health and welfare of the racing athlete through rules and through financial support of worthy industry initiatives. These include support of a racing surface research project, support of the industry's Racing Medication and Testing Consortium and national movements through Racing Commissioners International for uniform medication and model rules.

In October 2008, the AQHA Racing Committee formed the Safety and Welfare subcommittee, now known as the Equine Health, Welfare, Integrity and Research subcommittee to address issues in the racing industry and assist tracks, horsemen and racing jurisdictions in identifying and testing for illicit substances being used in our horses. The Equine Health Welfare Integrity

and Research subcommittee monitors situations and works with state racing jurisdictions involving drugs, medications, abuse and other issues concerning American Quarter Horse racing. At an appropriate time, the Equine Health, Welfare, Integrity and Research Committee can recommend penalties to the AQHA Executive Committee against offenders. Those penalties would be released and publicized by AQHA.

The Equine Health, Welfare, Integrity and Research Subcommittee also is strongly encouraging all AQHA members and horsemen to work with their respective racing stewards and commissions to adopt model rules and enhanced penalties for violators.

In 2012, AQHA's Enhancement of Penalty Rule was modified to give AQHA the ability to direct disciplinary action or sanctions against individuals coming under racing commission jurisdictions. Once disciplinary action is imposed by a racing jurisdiction, AQHA now has the ability to levy additional fines, suspend AQHA membership privileges and/or suspend participation privileges in recognized events. Should the Association exercise this right to enhance a penalty, the disciplined individual may request a hearing before a hearing committee for the sole purpose of contesting whether AQHA's imposed penalty should be enhanced. The finding of a violation by a Racing Authority is not subject to review at a hearing and is considered final by AQHA.

Through AQHA's Equine Health, Welfare, Integrity and Research Subcommittee, plans are underway to further enhance this rule by developing an administrative penalty chart that would improve our ability to impose sanctions against violators.

In November 2010, AQHA's efforts to test for the use of forbidden substances were brought to the forefront when the Association implemented what it terms "super testing" for horses entered in that year's Bank of America Racing Challenge Championships in New Orleans. That same year, the Association also brought together a large group of industry experts, including horsemen, racing officials and experts on medication and testing to discuss and address issues. At the top of the list of this group was the rampant use of high doses of Clenbuterol, which can have a steroidal effect on horses.

In February 2011, based on information from the November meeting, AQHA staff and Executive Committee members met with track owners, breeders, veterinarians and racing commission staff in Southern California to establish the Association's policy regarding Clenbuterol.

Specifically, AQHA recommended:

- ◆ A 30-day withdrawal of clenbuterol prior to a horse competing in a race. This does not ban clenbuterol. It establishes a 30-day prior-to-racing threshold after which clenbuterol cannot be administered. For training purposes and for horses competing beyond the 30-day window, clenbuterol use would still be allowed in racing American Quarter Horses.
- ◆ Threshold levels could be 200 pg/ml or less in urine and 1-2 pg/ml in blood.

AQHA has spent the last 18 months urging state racing authorities to adopt this position with some success. Several states have adopted this position or modified their current rule to address this issue. Those states include California, New Mexico, Indiana and Oklahoma. Other states had existing rules in place regarding Clenbuterol.

Owners and trainers of American Quarter Horses have also taken it upon themselves to address the issue of illegal doping of horses. Several horsemen across the country have obtained samples of alleged illegal substances and submitted them to AQHA or directly to a lab for testing and analysis. AQHA horsemen have been credited by members of the industry's Racing Medication Testing Consortium for bringing dermorphin, a highly potent painkiller derived from the skin of South American frogs to the attention of regulators and pushing for stringent testing standards regarding the drug. Samples of dermorphin were sent to labs by honest horsemen who wanted a level, honest playing field so the substance could be identified and a test developed. If the federal government wants to help, AQHA would welcome additional funding to help identify these drugs and develop tests for them in an attempt to stay ahead of people who want to cheat the system.

Speaking of additional funds, an idea that the Equine Health, Welfare, Integrity and Research subcommittee has discussed with owners and racetracks is to add an additional fee to starters in particular races at time of entry. Funds collected from this fee would be used to test all starters in those races or bolster state drug testing in these selected races. While the idea is not yet in place, AQHA has received positive feedback from horsemen who would support this effort. This is the kind of action the industry is initiating on its own.

The Equine Health, Welfare, Integrity and Research subcommittee continues to meet at least once a month on conference calls to address the topics under its charter, including developing penalties for people who repeatedly violate medication rules and/or who are Class 1 and Class 2 first-time offenders.

Recognizing that animal welfare is the single-most important issue facing the equine industry last February, the American Quarter Horse Association Executive Committee established a 14-member Animal Welfare Commission.

The Animal Welfare Commission's mission is to provide a framework for its members to

- 1) Identify issues negatively affecting the welfare of the American Quarter Horse
- 2) Discuss issues, and
- 3) Recommend actions that will help protect the American Quarter Horse from inhumane practices and AQHA and its members from the negative impacts associated with those practices.

The AQHA Animal Welfare Commission, in an effort to do right by the horse, is sharing its discussion, action items and recommendations with various industry organizations. While the commission is still in its infancy, it represents AQHA's commitment to the horse and is an example of how the industry is handling issues as they relate to welfare, including illegal doping of horses.

So with all its efforts to keep racing clean, one might be led to believe that AQHA would support the proposed changes to the Interstate Horse Racing Act. In fact, AQHA does not support federal intervention and is not in favor of this bill. Instead, AQHA wants the industry to come together, make significant changes and regulate itself.

We know we must do everything we can to protect horses, jockeys and the racing public, among others. While the industry might have been slow to react, at AQHA we have observed a transformation taking place where owners are demanding not only a level playing field but the best possible care for their horses.

AQHA is demonstrating its leadership role by urging states to adopt stricter guidelines on permitted medications and stronger, meaningful penalties for individuals who use performance-enhancing drugs.

The industry arrived at its current state over the last several decades. Lax oversight, inconsistent rules and non-uniformity all played a role in arriving at this point. Despite what some in Washington think, the industry has been working diligently to address the concerns of Congress and the public. Horse racing is taking all of this serious and initiating industry headed reforms. Those reforms include establishing goals and deadlines, and bringing about what we all agree is much needed change and improvement.

Clearly more must be done – and is being done not just because we have the public trust at stake but because it's the right thing to do for our horses. Rules are coming online and violators are being caught. Industry-driven initiatives in which we respond quicker to threats and find and develop tests for illegal drugs will help. There is nothing in the proposed changes to the Interstate Horse Racing Act that would provide funds for this type of research. Penalties must be swifter and more severe and language proposed in the bill doesn't address new, "designer" drugs properly. Studies on conditionally permitted race-day medications must be undertaken to properly address therapeutic medications. Uniform testing methods and consistent thresholds must be established so that participants understand the rules and trust the system in place. And, proper funding needs to be in place to oversee the industry.

To underscore our commitment to a cohesive, industry driven effort, AQHA is teaming with its counterparts in the both the thoroughbred and harness racing industries to bring about reforms and jointly address the issues facing horse racing.

The American Quarter Horse Association urges stewards and state racing authorities in every jurisdiction to levy the maximum penalties allowable against people who are doping horses, endangering horses' lives, the lives of jockeys and horsemen and cheating fans. The horse racing industry must come together and without question adopt the current model rules, and regardless of breed or role in the industry, develop the processes and procedures to address future situations with the strictest penalties possible.

On behalf of almost 300,000 members and more than one million owners of American Quarter Horses, thank you for the opportunity to speak on this issue and provide this testimony.

AQHA will continue to do everything it can for the racing industry. The issue of illegal drugs and misuse of medications is not about one single breed, association or group. It is about an industry that has been a part of our culture for hundreds of years. With common sense and cooperation, we can restore the public's trust and bring a new generation of fans and owners back to racing.