

May 25, 2018

The Honorable Robert E. Latta  
2448 Rayburn House Office Building  
Washington D.C., 20515

Re: H.R. 2651 / Horse Racing Integrity Act of 2017

Dear Congressman Latta:

As a Constituent in Ohio, I am writing to you in regards to H.R. 2651, "The Horse Racing Integrity Act of 2017".

Ohio is the nationwide leader in Standardbred Racing (or, "Harness Racing"). Number One in the Nation, Ohio's four pari-mutuel racetracks hosted 473 live days of harness racing with 6,726 live races, and 58,667 racehorse starts in 2017. Ohio's sixty-seven County Fairs offered 142 live race days with 1,569 live races. Ohio is number one for breeding standardbreds with 143 registered standardbred stallions standing at 72 farm locations in 42 Ohio Counties. Ohio has been the number one state for mares bred to Ohio stallions and standardbred foals produced from 2014-2017, and number one for the number of registered standardbred owners. Ohio's standardbred horsemen are proponents of common sense, reasonable regulation to maintain public confidence in wagering, while ensuring the integrity of racing, and above all protecting the health and welfare of racehorses.

As compared to racing thoroughbreds with distinctly different racing styles, racing surfaces, and longevity, therapeutic medications are essential to the welfare of the standardbred racehorse, the safety of standardbred racing, and are an important component of the standardbred racing business model.

As a thoroughbred-morgan cross standardbreds are durable, they are bred to maintain either a trot or pace over a standard one-mile distance pulling a fulcrum-balanced race bike to mitigate weight and wind resistance of a seated Driver. Standardbreds are conditioned like a mid-distance human runner, slowly on a jog. Their gaited racing style results in never having their entire weight borne by one leg, and they do not carry the weight of a human. Standardbreds are middle distance runners as-compared to thoroughbred sprinters.

Ohio's horsemen are in favor of a model rule that makes sense to each racing breed, mindful of breed differences, racing practices, racing surfaces, and longevity. H.R. 2651 is drafted for the Thoroughbred Racing Business Model to the detriment of the Standardbred Racing Business Model. As currently drafted, H.R. 2651 creates a federal law with respect to uniform anti-doping and medication control with enforcement by an independent Horse racing Anti-Doping and Medication Control Authority. This Bill would have a significant and negative impact on the business of harness racing in Ohio. It would also involve the Federal Government in an industry that has traditionally been left to the States to oversee and regulate.

1. Ohio standardbred racing medication positive test results and catastrophic loss statistics obviate the need for Federal statutory intervention. Ohio has a comprehensive, long-standing regulatory scheme in place to handle violations and enforcement.

The reasons primarily cited as the basis for added or stricter regulation are racehorse medication test positives and catastrophic breakdowns. Ohio's Standardbred racehorse fatality statistics have remained consistently low for the last ten years with a total of thirty-nine fatalities, or .009% per Standardbred start average per year. Standardbred medication positive test numbers for 2016 were the lowest in nine years at .3%, despite the highest number of racehorse starts that year. 2017's total was .4%, with therapeutic overages for Class 4 regulated therapeutics like Bute or Banamine responsible for 53% of the total, and Ohio has no environmental contaminant thresholds, which would exclude human to horse contaminates as false-positives.

In 2017 Ohio's 16,836 test samples resulted in one positive test for a Class 1 violation, which are the truly egregious violations.

2. H.R. 2651 would place an economic burden on small horse operations in Ohio, which make up most of the participants, and would be devastating because:

- Ohio Horsemen paid \$1,735,775 for the existing in-state medication and testing program. H.R. 2651 allows for an additional unfunded mandate on horsemen and women in Ohio and threatens the economic well-being of the industry by further increasing the costs of testing without a reasonable basis for the increase.
- H.R. 2651 gives an existing, non-governmental organization, (USADA) the ability to set its own budget and impose unlimited taxes and fees on an industry. H.R. 2651 fails to recognize industry knowledge by appointing a Board with no vested interest in the industry.
- H.R. 2651 fails to disclose or analyze the economic burden of the proposed changes and has no checks and balances.

3. Without a scientific basis, H.R. 2651 completely eliminates a necessary therapeutic medication - Lasix/Salix, which is vital for the well-being of a large number of standardbred race horses.

- Lasix use has been a 30-year equine welfare policy permitted on race day as a legal therapeutic medication. All scientific studies and reasoning show that Lasix does not have a negative impact on the horse. The condition addressed by Lasix, Exercise Induced Pulmonary Hemorrhage (or EIPH), occurs in a variety of circumstances. Lasix mitigates the problems in racing horses and is therapeutic for the equine athlete.
- The American Association of Equine Practitioners (veterinarians), the industry's gold standard in equine health and welfare, endorses use of this medication because "it (Lasix) is in the best interests of the health and welfare of the horse and the betting public."

4. Legislation of medication and testing is best left to the States where horse racing is conducted.

Horse racing has been state regulated since inception for well over one hundred years. If H.R. 2651 is enacted, it would create another level of regulatory bureaucracy in addition to existing state regulation that has been in place in over thirty-four racing states. Federal governance of horse racing throughout the United States could not stop there. One consequence would result in the federal government having to re-write the rules of racing to accommodate "new" medication and testing standards with federal oversight over all aspects of horse racing. Passing this legislation is a potential Dormant Commerce Clause violation for the federal government since it would mandate federal regulation of the horse racing industry. Horse Racing is a \$36 billion dollar a year industry. This is not an area the federal government has expertise in and has been traditionally left to each State to regulate. Accordingly, I urge the committee to oppose H.R. 2651 or any similar bill or compromise measure.

Very truly yours,