to make sure this legislation is beneficial to consumers, and the bill was passed unanimously by the committee.

Mr. Speaker, I support this measure moving forward, and I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, once again, I yield such time as he may consume to the gentleman from California (Mr. MCNERNEY).

Mr. MCNERNEY. Mr. Speaker, I rise today in support of H.R. 1289, the PHONE Act.

As we stand here today, two new, fast-moving wildfires, the Glass and the Zogg fires, are blazing through my home State of California. Thousands of people had to evacuate their homes yesterday as a result of the fires, some of them in the middle of the night.

Since the beginning of this year, there have been over 8,100 wildfires that have burned well over 3.7 million acres in California alone. Nearly every part of the State has been ravaged by wildfires this year, and we are now only starting to approach what has historically been the most deadly and destructive part of wildfire season.

Worrying about deadly wildfires spreading quickly is the new norm that my constituents now live in, and worrying about whether they will have to evacuate their homes is part of this new norm.

Because of this legislation that we are considering today, the PHONE Act, which I am proud to cosponsor, my constituents, Californians, and Americans across the country who are impacted all too frequently now by natural disasters due to climate change will have to worry about one less thing when they are forced to evacuate their homes, and that is the ability to keep their phone numbers.

Under this legislation, communications providers will be prohibited from reassigning phone numbers of customers in areas covered by major natural disasters and declared disasters for the duration of the declaration, and that period may be extended.

The bill would also prohibit providers from assessing early termination fees to cancel service or connection fees to resubscribe at a new address for subscribers whose residence is inaccessible or uninhabitable due to a major disaster.

There is so much that wildfire victims have to worry about. We need to move quickly to ensure that the PHONE Act is signed into law, so there is one less thing on their plate.

It may not seem like a big deal, but if you lose your home, keeping the phone number will be an emotionally safe place. Losing your phone number after a disaster just adds insult to injury.

I want to thank my colleague from California, Mr. MIKE THOMPSON, for his work in creating this legislation. I urge my colleagues to support this legislation.

Mr. WALDEN. Mr. Speaker, I have no further speakers on this matter. I would encourage my colleagues on both sides of the aisle to support the PHONE Act, and I yield back the balance of my time.

Mr. PALLONE. Mr. Speaker, I will do the same. I urge support of this legislation, and I yield back the balance of my time.

Mr. THOMPSON of California. Mr. Speaker, I rise today in strong support of the bipartisan PHONE Act, a bill I started working on more than two years ago.

The PHONE Act is an example of listening to our constituents who have been survivors of a natural disaster and using the power of legislation to address the aftermath.

After the devastating 2017 wildfires, one of my constituents contacted my office to let us know of a problem unique to natural disasters. My constituent was one of more than 6,000 households who lost a home or business to the wildfire. This family was a long-time part of our community and they wanted to rebuild. What they learned was that, during the rebuilding process, they would lose the phone number they had for years. This may seem like something small—a phone number, but to my constituent, this was part of the fabric of their lives and of their home.

Unfortunately, the FCC could not save the phone number long enough to rebuild. So many of our Districts are facing wildfires, hurricanes, powerful windstorms and flooding. We must do everything we can to help survivors reclaim their lives.

Displaced survivors must find temporary housing, connect with family members, replace lost documents, apply for disaster assistance, and begin the long process of repairing and rebuilding homes. We may not be able to help rebuild or pick up the pieces, but this small gesture—reserving a phone number—can bring the tiniest sense of a return to normalcy.

Preserving home phone numbers means survivors have one less worry. It's one less burden. It is the least we can do to help the folks in our communities who face such devastation.

I thank the Committee for its work to bring this bill to the Floor and I urge my colleagues to vote yes.

Ms. ESHOO. Mr. Speaker, I rise in strong support of H.R. 1289, the PHONE Act, a simple but powerful bill to ensure that Americans who lose their homes in natural disasters don't also lose their home phone numbers.

The CZU Lightning Complex Fire burned 86,509 acres in my Congressional District, making it the 11th most destructive fire in California history. Seventy-seven thousand of my constituents were evacuated. After weeks of tireless efforts from over 2,000 local, state, and federal firefighters, the fire is now contained.

While most of the evacuees have returned home, nearly 1,000 families in my district won't be returning home because their houses were destroyed. It's these families the PHONE Act helps.

Because climate change is causing increased and more intense wildfires, California is experiencing a horrific wildfire season. Already, over 3.6 million acres have burned from nearly 8,000 wildfires. Four of the five largest fires in state history happened this year. The PHONE Act ensures that the thousands of families who lose their homes don't also lose their phone numbers.

The PHONE Act has three parts. First, if the President issues a major disaster declaration, and a governor designates a disaster area, phone numbers in that designated area cannot be reassigned for one year. Second, if someone in the disaster area needs more than a year, they can get a one-year extension because rebuilding can take years. Third, the bill allows consumers to cancel phone service without a cancellation fee if their home is inaccessible or uninhabitable. The bill also prohibits resubscription fees if consumers get phone service somewhere else in the area.

Some may ask why we need all of this for a simple phone number. One of the first things parents teach their kids is their phone number. I bet many of us still remember our parents' home phone numbers. While many are opting to live with just cellphones, it's important to consider who depends on landlines: older Americans and retirees, who often have multiple doctors, caregivers, and loved ones using long-held phone numbers.

Congressman MIKE THOMPSON authored the bill to help the survivors of the Atlas and Tubbs fires that ravished his Congressional District in 2017. Thousands lost their homes and were further frustrated to learn they also lost their phone numbers, because phone companies had given the numbers away.

The bill was marked up on March 10, 2020, by the Subcommittee and on September 9, 2020, by the full Energy & Commerce Committee. At both markups, I offered amendments to ensure the bill would have broad, bipartisan support and would be as effective as possible.

The bill is carefully drafted to plug a small gap in the law, but this gap means the world to our constituents the bill is written to protect.

The legislation before us is necessary and powerful, and I urge my collagues to support it.

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. 1289, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

HORSERACING INTEGRITY AND SAFETY ACT OF 2020

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1754) to improve the integrity and safety of horseracing by requiring a uniform anti-doping and medication control program to be developed and enforced by an independent Horseracing Anti-Doping and Medication Control Authority, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1754

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 ''Horseracing Integrity and Safety Act of 2020''.

SEC. 2. DEFINITIONS.

In this Act the following definitions apply:

(1) AUTHORITY.—The term ''Authority'' means the Horseracing Integrity and Safety Authority designated by section 3(a).

(2) BREEDER.—The term ''breeder'' means a person who is in the business of breeding covered horses.

(3) COMMISSION.—The term ''Commission'' means the Federal Trade Commission.

(4) COVERED HORSE.—The term ''covered horse'' means any Thoroughbred horse, or any other horse made subject to this Act by election of the applicable State racing commission or the breed governing organization for such horse under section 5(k), during the period—

(A) beginning on the date of the horse's first timed and reported workout at a racetrack that participates in covered horseraces or at a training facility; and

(B) ending on the date on which the Authority receives written notice that the horse has been retired.

(5) COVERED HORSERACE.—The term ''covered horserace'' means any horserace involving covered horses that has a substantial relation to interstate commerce, including any Thoroughbred horserace that is the subject of interstate off-track or advance deposit wagers.

(6) COVERED PERSONS.—The term ''covered persons'' means all trainers, owners, breeders, jockeys, racetracks, veterinarians, persons (legal and natural) licensed by a State racing commission and the agents, assigns, and employees of such persons and other horse support personnel who are engaged in the care, training, or racing of covered horses.

(7) EQUINE CONSTITUENCIES.—The term ''equine constituencies'' means, collectively, owners, breeders, trainers, racetracks, veterinarians, State racing commissions, and jockeys who are engaged in the care, training, or racing of covered horses.

(8) EQUINE INDUSTRY REPRESENTATIVE.—The term ''equine industry representative'' means an organization regularly and significantly engaged in the equine industry, including organizations that represent the interests of, and whose membership consists of, owners, breeders, trainers, racetracks, veterinarians, State racing commissions, and jockeys.

(9) HORSERACING ANTI-DOPING AND MEDICATION CONTROL PROGRAM.—The term ''horseracing anti-doping and medication control program'' means the anti-doping and medication program established under section 6(a).

(10) IMMEDIATE FAMILY MEMBER.—The term ''immediate family member'' shall include a spouse, domestic partner, mother, father, aunt, uncle, sibling, or child.

(11) INTERSTATE OFF-TRACK WAGER.—The term ''interstate off-track wager'' has the meaning given such term in section 3 of the Interstate Horseracing Act of 1978 (15 U.S.C. 3002).

(12) JOCKEY.—The term ''jockey'' means a rider or driver of a covered horse in covered horseraces.

(13) OWNER.—The term ''owner'' means a person who holds an ownership interest in one or more covered horses.

(14) PROGRAM EFFECTIVE DATE.—The term ''program effective date'' means July 1, 2022.

(15) RACETRACK.—The term ''racetrack'' means an organization licensed by a State racing commission to conduct covered horseraces.

(16) RACETRACK SAFETY PROGRAM.—The term ''racetrack safety program'' means the program established under section 7(a).

(17) STAKES RACE.—The term ''stakes race'' means any race so designated by the racetrack at which such race is run, including, without limitation, the races comprising the Breeders' Cup World Championships and the races designated as graded stakes by the American Graded Stakes Committee of the Thoroughbred Owners and Breeders Association.

(18) STATE RACING COMMISSION.—The term ''State racing commission'' means an entity designated by State law or regulation that has jurisdiction over the conduct of horseracing within the applicable State.

(19) TRAINER.—The term ''trainer'' means an individual engaged in the training of covered horses.

(20) TRAINING FACILITY.—The term ''training facility'' means a location that is not a racetrack licensed by a State racing commission that operates primarily to house covered horses and conduct official timed workouts.

(21) VETERINARIAN.—The term ''veterinarian'' means a licensed veterinarian who provides veterinary services to covered horses.

(22) WORKOUT.—The term ''workout'' means a timed running of a horse over a predetermined distance not associated with a race or its first qualifying race, if such race is made subject to this Act by election under section 5(k) of the horse's breed governing organization or the applicable State racing commission.

SEC. 3. RECOGNITION OF THE HORSERACING INTEGRITY AND SAFETY AUTHORITY.

(a) IN GENERAL.—The private, independent, self-regulatory, nonprofit corporation, to be known as the ''Horseracing Integrity and Safety Authority'', is recognized for purposes of developing and implementing a horseracing anti-doping and medication control program and a racetrack safety program for covered horses, covered persons, and covered horseraces.

(b) BOARD OF DIRECTORS.—

(1) MEMBERSHIP.—The Authority shall be governed by a board of directors (in this section referred to as the ''Board'') comprised of nine members as follows:

(A) INDEPENDENT MEMBERS.—Five members of the Board shall be independent members selected from outside the equine industry.

(B) INDUSTRY MEMBERS.—

(i) IN GENERAL.—Four members of the Board shall be industry members selected from among the various equine constituencies.

(ii) REPRESENTATION OF EQUINE CONSTITUENCIES.—The industry members shall be representative of the various equine constituencies, and shall include not more than one industry member from any one equine constituency.

(2) CHAIR.—The chair of the Board shall be an independent member described in paragraph (1)(A).

(3) BYLAWS.—The Board of the Authority shall be governed by bylaws for the operation of the Authority with respect to—

(A) the administrative structure and employees of the Authority;

(B) the establishment of standing committees;

(C) the procedures for filling vacancies on the Board and the standing committees;

(D) term limits for members and termination of membership; and

(E) any other matter the Board considers necessary.

(c) STANDING COMMITTEES.—

(1) ANTI-DOPING AND MEDICATION CONTROL STANDING COMMITTEE.—

(A) IN GENERAL.—The Authority shall establish an anti-doping and medication control standing committee, which shall provide advice and guidance to the Board on the development and maintenance of the horseracing anti-doping and medication control program.

(B) MEMBERSHIP.—The anti-doping and medication control standing committee shall be comprised of seven members as follows:

(i) INDEPENDENT MEMBERS.—A majority of the members shall be independent members selected from outside the equine industry.

(ii) INDUSTRY MEMBERS.—A minority of the members shall be industry members selected to represent the various equine constituencies, and shall include not more than one industry member from any one equine constituency.

(iii) QUALIFICATION.—A majority of individuals selected to serve on the anti-doping and medication control standing committee shall have significant, recent experience in anti-doping and medication control rules.

(C) CHAIR.—The chair of the anti-doping and medication control standing committee shall be an independent member of the Board described in subsection (b)(1)(A).

(2) RACETRACK SAFETY STANDING COMMITTEE.—

(A) IN GENERAL.—The Authority shall establish a racetrack safety standing committee, which shall provide advice and guidance to the Board on the development and maintenance of the racetrack safety program.

(B) MEMBERSHIP.—The racetrack safety standing committee shall be comprised of seven members as follows:

(i) INDEPENDENT MEMBERS.—A majority of the members shall be independent members selected from outside the equine industry.

(ii) INDUSTRY MEMBERS.—A minority of the members shall be industry members selected to represent the various equine constituencies.

(C) CHAIR.—The chair of the racetrack safety standing committee shall be an industry member of the Board described in subsection (b)(1)(B).

(d) NOMINATING COMMITTEE.—

(1) MEMBERSHIP.—

(A) IN GENERAL.—The nominating committee of the Authority shall be comprised of seven independent members selected from business, sports, and academia.

(B) INITIAL MEMBERSHIP.—The initial nominating committee members shall be set forth in the governing corporate documents of the Authority.

(C) VACANCIES.—After the initial committee members are appointed in accordance with subparagraph (B), vacancies shall be filled by the Board pursuant to rules established by the Authority.

(2) CHAIR.—The chair of the nominating committee shall be selected by the nominating committee from among the members of the nominating committee.

(3) SELECTION OF MEMBERS OF THE BOARD AND STANDING COMMITTEES.—

(A) INITIAL MEMBERS.—The nominating committee shall select the initial members of the Board and the standing committees described in subsection (c).

(B) SUBSEQUENT MEMBERS.— The nominating committee shall recommend individuals to fill any vacancy on the Board or on such standing committees.

(e) CONFLICTS OF INTEREST.—To avoid conflicts of interest, the following individuals may not be selected as a member of the Board or as an independent member of a nominating or standing committee under this section:

(1) An individual who has a financial interest in, or provides goods or services to, covered horses.

(2) An official or officer—

(A) of an equine industry representative; or

(B) who serves in a governance or policymaking capacity for an equine industry representative.

(3) An employee of, or an individual who has a business or commercial relationship

with, an individual described in paragraph (1) or (2).

(4) An immediate family member of an individual described in paragraph (1) or (2).

(f) FUNDING.—

(1) INITIAL FUNDING.—

(A) IN GENERAL.—Initial funding to establish the Authority and underwrite its operations before the program effective date shall be provided by loans obtained by the Authority.

(B) BORROWING.—The Authority may borrow funds toward the funding of its operations.

(C) ANNUAL CALCULATION OF AMOUNTS REQUIRED.—

(i) IN GENERAL.—Not later than the date that is 90 days before the program effective date, and not later than November 1 each year thereafter, the Authority shall determine and provide to each State racing commission the estimated amount required from the State—

(I) to fund the State's proportionate share of the horseracing anti-doping and medication control program and the racetrack safety program for the next calendar year; and

(II) to liquidate the State's proportionate share of any loan or funding shortfall in the current calendar year and any previous calendar year.

(ii) BASIS OF CALCULATION.—The amounts calculated under clause (i) shall—

(I) be based on—

(aa) the annual budget of the Authority for the following calendar year, as approved by the Board; and

(bb) the projected amount of covered racing starts for the year in each State; and

(II) take into account other sources of Authority revenue.

(iii) REQUIREMENTS REGARDING BUDGETS OF AUTHORITY.—

(I) INITIAL BUDGET.—The initial budget of the Authority shall require the approval of ⅔ of the Board.

(II) SUBSEQUENT BUDGETS.—Any subsequent budget that exceeds the budget of the preceding calendar year by more than 5 percent shall require the approval of ⅔ of the Board.

(iv) RATE INCREASES.—

(I) IN GENERAL.—A proposed increase in the amount required under this subparagraph shall be reported to the Commission.

(II) NOTICE AND COMMENT.—The Commission shall publish in the Federal Register such a proposed increase and provide an opportunity for public comment.

(2) ASSESSMENT AND COLLECTION OF FEES BY STATES.—

(A) NOTICE OF ELECTION.—Any State racing commission that elects to remit fees pursuant to this subsection shall notify the Authority of such election not later than 60 days before the program effective date.

(B) REQUIREMENT TO REMIT FEES.—After a State racing commission makes a notification under subparagraph (A), the election shall remain in effect and the State racing commission shall be required to remit fees pursuant to this subsection according to a schedule established in rule developed by the Authority and approved by the Commission.

(C) WITHDRAWAL OF ELECTION.—A State racing commission may cease remitting fees under this subsection not earlier than one year after notifying the Authority of the intent of the State racing commission to do so.

(D) DETERMINATION OF METHODS.—Each State racing commission shall determine, subject to the applicable laws, regulations, and contracts of the State, the method by which the requisite amount of fees, such as foal registration fees, sales contributions, starter fees, and track fees, and other fees on covered persons, shall be allocated, assessed, and collected.

(3) ASSESSMENT AND COLLECTION OF FEES BY THE AUTHORITY.—

(A) CALCULATION.—If a State racing commission does not elect to remit fees pursuant to paragraph (2) or withdraws its election under such paragraph, the Authority shall, not less frequently than monthly, calculate the applicable fee per racing start multiplied by the number of racing starts in the State during the preceding month.

(B) ALLOCATION.—The Authority shall allocate equitably the amount calculated under subparagraph (A) collected among covered persons involved with covered horseraces pursuant to such rules as the Authority may promulgate.

(C) ASSESSMENT AND COLLECTION.—

(i) IN GENERAL.—The Authority shall assess a fee equal to the allocation made under subparagraph (B) and shall collect such fee according to such rules as the Authority may promulgate.

(ii) REMITTANCE OF FEES.—Covered persons described in subparagraph (B) shall be required to remit such fees to the Authority.

(D) LIMITATION.—A State racing commission that does not elect to remit fees pursuant to paragraph (2) or that withdraws its election under such paragraph shall not impose or collect from any person a fee or tax relating to anti-doping and medication control or racetrack safety matters for covered horseraces.

(4) FEES AND FINES.—Fees and fines imposed by the Authority shall be allocated toward funding of the Authority and its activities.

(5) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to require—

(A) the appropriation of any amount to the Authority; or

(B) the Federal Government to guarantee the debts of the Authority.

(g) QUORUM.—For all items where Board approval is required, the Authority shall have present a majority of independent members.

SEC. 4. FEDERAL TRADE COMMISSION OVERSIGHT.

(a) IN GENERAL.—The Authority shall submit to the Commission, in accordance with such rules as the Commission may prescribe under section 553 of title 5, United States Code, any proposed rule, or proposed modification to a rule, of the Authority relating to—

(1) the bylaws of the Authority;

(2) a list of permitted and prohibited medications, substances, and methods, including allowable limits of permitted medications, substances, and methods;

(3) laboratory standards for accreditation and protocols;

(4) standards for racing surface quality maintenance;

(5) racetrack safety standards and protocols;

(6) a program for injury and fatality data analysis;

(7) a program of research and education on safety, performance, and anti-doping and medication control;

(8) a description of safety, performance, and anti-doping and medication control rule violations applicable to covered horses and covered persons;

(9) a schedule of civil sanctions for violations;

(10) a process or procedures for disciplinary hearings; and

(11) a formula or methodology for determining assessments described in section 3(f).

(b) PUBLICATION AND COMMENT.—

(1) IN GENERAL.—The Commission shall—

(A) publish in the Federal Register each proposed rule or modification submitted under subsection (a); and

(B) provide an opportunity for public comment.

(2) APPROVAL REQUIRED.—A proposed rule, or a proposed modification to a rule, of the Authority shall not take effect unless the proposed rule or modification has been approved by the Commission.

(c) DECISION ON PROPOSED RULE OR MODIFICATION TO A RULE.—

(1) IN GENERAL.—Not later than 60 days after the date on which a proposed rule or modification is published in the Federal Register, the Commission shall approve or disapprove the proposed rule or modification.

(2) CONDITIONS.—The Commission shall approve a proposed rule or modification if the Commission finds that the proposed rule or modification is consistent with—

(A) this Act; and

(B) applicable rules approved by the Commission.

(3) REVISION OF PROPOSED RULE OR MODIFICATION.—

(A) IN GENERAL.—In the case of disapproval of a proposed rule or modification under this subsection, not later than 30 days after the issuance of the disapproval, the Commission shall make recommendations to the Authority to modify the proposed rule or modification.

(B) RESUBMISSION.—The Authority may resubmit for approval by the Commission a proposed rule or modification that incorporates the modifications recommended under subparagraph (A).

(d) PROPOSED STANDARDS AND PROCEDURES.—

(1) IN GENERAL.—The Authority shall submit to the Commission any proposed rule, standard, or procedure developed by the Authority to carry out the horseracing anti-doping and medication control program or the racetrack safety program.

(2) NOTICE AND COMMENT.—The Commission shall publish in the Federal Register any such proposed rule, standard, or procedure and provide an opportunity for public comment.

(e) INTERIM FINAL RULES.—The Commission may adopt an interim final rule, to take effect immediately, under conditions specified in section 553(b)(B) of title 5, United States Code, if the Commission finds that such a rule is necessary to protect—

(1) the health and safety of covered horses; or

(2) the integrity of covered horseraces and wagering on those horseraces.

SEC. 5. JURISDICTION OF THE COMMISSION AND THE HORSERACING INTEGRITY AND SAFETY AUTHORITY.

(a) IN GENERAL.—Beginning on the program effective date, the Commission, the Authority, and the anti-doping and medication control enforcement agency, each within the scope of their powers and responsibilities under this Act, as limited by subsection (j), shall—

(1) implement and enforce the horseracing anti-doping and medication control program and the racetrack safety program;

(2) exercise independent and exclusive national authority over—

(A) the safety, welfare, and integrity of covered horses, covered persons, and covered horseraces; and

(B) all horseracing safety, performance, and anti-doping and medication control matters for covered horses, covered persons, and covered horseraces; and

(3) have safety, performance, and anti-doping and medication control authority over covered persons similar to such authority of the State racing commissions before the program effective date.

(b) PREEMPTION.—The rules of the Authority promulgated in accordance with this Act shall preempt any provision of State law or

regulation with respect to matters within the jurisdiction of the Authority under this Act, as limited by subsection (j). Nothing contained in this Act shall be construed to limit the authority of the Commission under any other provision of law.

(c) DUTIES.—

(1) IN GENERAL.—The Authority—

(A) shall develop uniform procedures and rules authorizing—

(i) access to offices, racetrack facilities, other places of business, books, records, and personal property of covered persons that are used in the care, treatment, training, and racing of covered horses;

(ii) issuance and enforcement of subpoenas and subpoenas duces tecum; and

(iii) other investigatory powers of the nature and scope exercised by State racing commissions before the program effective date; and

(B) with respect to an unfair or deceptive act or practice described in section 10, may recommend that the Commission commence an enforcement action.

(2) APPROVAL OF COMMISSION.—The procedures and rules developed under paragraph (1)(A) shall be subject to approval by the Commission in accordance with section 4.

(d) REGISTRATION OF COVERED PERSONS WITH AUTHORITY.—

(1) IN GENERAL.—As a condition of participating in covered races and in the care, ownership, treatment, and training of covered horses, a covered person shall register with the Authority in accordance with rules promulgated by the Authority and approved by the Commission in accordance with section 4.

(2) AGREEMENT WITH RESPECT TO AUTHORITY RULES, STANDARDS, AND PROCEDURES.—Registration under this subsection shall include an agreement by the covered person to be subject to and comply with the rules, standards, and procedures developed and approved under subsection (c).

(3) COOPERATION.—A covered person registered under this subsection shall, at all times—

(A) cooperate with the Commission, the Authority, the anti-doping and medication control enforcement agency, and any respective designee, during any civil investigation; and

(B) respond truthfully and completely to the best of the knowledge of the covered person if questioned by the Commission, the Authority, the anti-doping and medication control enforcement agency, or any respective designee.

(4) FAILURE TO COMPLY.—Any failure of a covered person to comply with this subsection shall be a violation of section 8(a)(2)(G).

(e) ENFORCEMENT OF PROGRAMS.—

(1) ANTI-DOPING AND MEDICATION CONTROL ENFORCEMENT AGENCY.—

(A) AGREEMENT WITH USADA.—The Authority shall seek to enter into an agreement with the United States Anti-Doping Agency under which the Agency acts as the anti-doping and medication control enforcement agency under this Act for services consistent with the horseracing anti-doping and medication control program.

(B) AGREEMENT WITH OTHER ENTITY.—If the Authority and the United States Anti-Doping Agency are unable to enter into the agreement described in subparagraph (A), the Authority shall enter into an agreement with an entity that is nationally recognized as being a medication regulation agency equal in qualification to the United States Anti-Doping Agency to act as the anti-doping and medication control enforcement agency under this Act for services consistent with the horseracing anti-doping and medication control program.

(C) NEGOTIATIONS.—Any negotiations under this paragraph shall be conducted in good faith and designed to achieve efficient, effective best practices for anti-doping and medication control and enforcement on commercially reasonable terms.

(D) ELEMENTS OF AGREEMENT.—Any agreement under this paragraph shall include a description of the scope of work, performance metrics, reporting obligations, and budgets of the United States Anti-Doping Agency while acting as the anti-doping and medication control enforcement agency under this Act, as well as a provision for the revision of the agreement to increase in the scope of work as provided for in subsection (k), and any other matter the Authority considers appropriate.

(E) DUTIES AND POWERS OF ENFORCEMENT AGENCY.—The anti-doping and medication control enforcement agency under an agreement under this paragraph shall—

(i) serve as the independent anti-doping and medication control enforcement organization for covered horses, covered persons, and covered horseraces, implementing the anti-doping and medication control program on behalf of the Authority;

(ii) ensure that covered horses and covered persons are deterred from using or administering medications, substances, and methods in violation of the rules established in accordance with this Act;

(iii) implement anti-doping education, research, testing, compliance and adjudication programs designed to prevent covered persons and covered horses from using or administering medications, substances, and methods in violation of the rules established in accordance with this Act;

(iv) exercise the powers specified in section 6(c)(4) in accordance with that section; and

(v) implement and undertake any other responsibilities specified in the agreement.

(F) TERM AND EXTENSION.—

(i) TERM OF INITIAL AGREEMENT.—The initial agreement entered into by the Authority under this paragraph shall be in effect for the 5-year period beginning on the program effective date.

(ii) EXTENSION.—At the end of the 5-year period described in clause (i), the Authority may—

(I) extend the term of the initial agreement under this paragraph for such additional term as is provided by the rules of the Authority and consistent with this Act; or

(II) enter into an agreement meeting the requirements of this paragraph with an entity described by subparagraph (B) for such term as is provided by such rules and consistent with this Act.

(2) AGREEMENTS FOR ENFORCEMENT BY STATE RACING COMMISSIONS.—

(A) STATE RACING COMMISSIONS.—

(i) RACETRACK SAFETY PROGRAM.—The Authority may enter into agreements with State racing commissions for services consistent with the enforcement of the racetrack safety program.

(ii) ANTI-DOPING AND MEDICATION CONTROL PROGRAM.—The anti-doping and medication control enforcement agency may enter into agreements with State racing commissions for services consistent with the enforcement of the anti-doping and medication control program.

(B) ELEMENTS OF AGREEMENTS.—Any agreement under this paragraph shall include a description of the scope of work, performance metrics, reporting obligations, budgets, and any other matter the Authority considers appropriate.

(3) ENFORCEMENT OF STANDARDS.—The Authority may coordinate with State racing commissions and other State regulatory agencies to monitor and enforce racetrack compliance with the standards developed under paragraphs (1) and (2) of section 7(c).

(f) PROCEDURES WITH RESPECT TO RULES OF AUTHORITY.—

(1) ANTI-DOPING AND MEDICATION CONTROL.—

(A) IN GENERAL.—Recommendations for rules regarding anti-doping and medication control shall be developed in accordance with section 6.

(B) CONSULTATION.—The anti-doping and medication control enforcement agency shall consult with the anti-doping and medication control standing committee and the Board of the Authority on all anti-doping and medication control rules of the Authority.

(2) RACETRACK SAFETY.—Recommendations for rules regarding racetrack safety shall be developed by the racetrack safety standing committee of the Authority

(g) ISSUANCE OF GUIDANCE.—

(1) The Authority may issue guidance that—

(A) sets forth—

(i) an interpretation of an existing rule, standard, or procedure of the Authority; or

(ii) a policy or practice with respect to the administration or enforcement of such an existing rule, standard, or procedure; and

(B) relates solely to—

(i) the administration of the Authority; or

(ii) any other matter, as specified by the Commission, by rule, consistent with the public interest and the purposes of this subsection.

(2) SUBMITTAL TO COMMISSION.—The Authority shall submit to the Commission any guidance issued under paragraph (1).

(3) IMMEDIATE EFFECT.—Guidance issued under paragraph (1) shall take effect on the date on which the guidance is submitted to the Commission under paragraph (2).

(h) SUBPOENA AND INVESTIGATORY AUTHORITY.—The Authority shall have subpoena and investigatory authority with respect to civil violations committed under its jurisdiction.

(i) CIVIL PENALTIES.—The Authority shall develop a list of civil penalties with respect to the enforcement of rules for covered persons and covered horseraces under its jurisdiction.

(j) CIVIL ACTIONS.—

(1) IN GENERAL.—In addition to civil sanctions imposed under section 8, the Authority may commence a civil action against a covered person or racetrack that has engaged, is engaged, or is about to engage, in acts or practices constituting a violation of this Act or any rule established under this Act in the proper district court of the United States, the United States District Court for the District of Columbia, or the United States courts of any territory or other place subject to the jurisdiction of the United States, to enjoin such acts or practices, to enforce any civil sanctions imposed under that section, and for all other relief to which the Authority may be entitled.

(2) INJUNCTIONS AND RESTRAINING ORDERS.—With respect to a civil action commenced under paragraph (1), upon a proper showing, a permanent or temporary injunction or restraining order shall be granted without bond.

(k) LIMITATIONS ON AUTHORITY.—

(1) PROSPECTIVE APPLICATION.—The jurisdiction and authority of the Authority and the Commission with respect to the horseracing anti-doping and medication control program and the racetrack safety program shall be prospective only.

(2) PREVIOUS MATTERS.—

(A) IN GENERAL.—The Authority and the Commission may not investigate, prosecute, adjudicate, or penalize conduct in violation of the horseracing anti-doping and medication control program and the racetrack safety program that occurs before the program effective date.

(B) STATE RACING COMMISSION.—With respect to conduct described in subparagraph (A), the applicable State racing commission shall retain authority until the final resolution of the matter.

(3) OTHER LAWS UNAFFECTED.—This Act shall not be construed to modify, impair or restrict the operation of the general laws or regulations, as may be amended from time to time, of the United States, the States and their political subdivisions relating to criminal conduct, cruelty to animals, matters unrelated to antidoping, medication control and racetrack and racing safety of covered horses and covered races, and the use of medication in human participants in covered races.

(l) ELECTION FOR OTHER BREED COVERAGE UNDER ACT.—

(1) IN GENERAL.—A State racing commission or a breed governing organization for a breed of horses other than Thoroughbred horses may elect to have such breed be covered by this Act by the filing of a designated election form and subsequent approval by the Authority. A State racing commission may elect to have a breed covered by this Act for the applicable State only.

(2) ELECTION CONDITIONAL ON FUNDING MECHANISM.—A commission or organization may not make an election under paragraph (1) unless the commission or organization has in place a mechanism to provide sufficient funds to cover the costs of the administration of this Act with respect to the horses that will be covered by this Act as a result of the election.

(3) APPORTIONMENT.—The Authority shall apportion costs described in paragraph (2) in connection with an election under paragraph (1) fairly among all impacted segments of the horseracing industry, subject to approval by the Commission in accordance with section 4. Such apportionment may not provide for the allocation of costs or funds among breeds of horses.

SEC. 6. HORSERACING ANTI-DOPING AND MEDICATION CONTROL PROGRAM.

(a) PROGRAM REQUIRED.—

(1) IN GENERAL.—Not later than the program effective date, and after notice and an opportunity for public comment in accordance with section 4, the Authority shall establish a horseracing anti-doping and medication control program applicable to all covered horses, covered persons, and covered horseraces in accordance with the registration of covered persons under section 5(d).

(2) CONSIDERATION OF OTHER BREEDS.—In developing the horseracing anti-doping and medication control program with respect to a breed of horse that is made subject to this Act by election of a State racing commission or the breed governing organization for such horse under section 5(k), the Authority shall consider the unique characteristics of such breed.

(b) CONSIDERATIONS IN DEVELOPMENT OF PROGRAM.—In developing the horseracing anti-doping and medication control program, the Authority shall take into consideration the following:

(1) Covered horses should compete only when they are free from the influence of medications, other foreign substances, and methods that affect their performance.

(2) Covered horses that are injured or unsound should not train or participate in covered races, and the use of medications, other foreign substances, and treatment methods that mask or deaden pain in order to allow injured or unsound horses to train or race should be prohibited.

(3) Rules, standards, procedures, and protocols regulating medication and treatment methods for covered horses and covered races should be uniform and uniformly administered nationally.

(4) To the extent consistent with this Act, consideration should be given to international anti-doping and medication control standards of the International Federation of Horseracing Authorities and the Principles of Veterinary Medical Ethics of the American Veterinary Medical Association.

(5) The administration of medications and treatment methods to covered horses should be based upon an examination and diagnosis that identifies an issue requiring treatment for which the medication or method represents an appropriate component of treatment.

(6) The amount of therapeutic medication that a covered horse receives should be the minimum necessary to address the diagnosed health concerns identified during the examination and diagnostic process.

(7) The welfare of covered horses, the integrity of the sport, and the confidence of the betting public require full disclosure to regulatory authorities regarding the administration of medications and treatments to covered horses.

(c) ACTIVITIES.—The following activities shall be carried out under the horseracing anti-doping and medication control program:

(1) STANDARDS FOR ANTI-DOPING AND MEDICATION CONTROL.—Not later than 120 days before the program effective date, the Authority shall issue, by rule—

(A) uniform standards for—

(i) the administration of medication to covered horses by covered persons; and

(ii) laboratory testing accreditation and protocols; and

(B) a list of permitted and prohibited medications, substances, and methods, including allowable limits of permitted medications, substances, and methods.

(2) REVIEW PROCESS FOR ADMINISTRATION OF MEDICATION.—The development of a review process for the administration of any medication to a covered horse during the 48-hour period preceding the next racing start of the covered horse.

(3) AGREEMENT REQUIREMENTS.—The development of requirements with respect to agreements under section 5(e).

(4) ANTI-DOPING AND MEDICATION CONTROL ENFORCEMENT AGENCY.—

(A) CONTROL RULES, PROTOCOLS, ETC.—Except as provided in paragraph (5), the anti-doping and medication control program enforcement agency under section 5(e) shall, in consultation with the anti-doping and medication control standing committee of the Authority and consistent with international best practices, develop and recommend anti-doping and medication control rules, protocols, policies, and guidelines for approval by the Authority.

(B) RESULTS MANAGEMENT.—The anti-doping and medication control enforcement agency shall conduct and oversee anti-doping and medication control results management, including independent investigations, charging and adjudication of potential medication control rule violations, and the enforcement of any civil sanctions for such violations. Any final decision or civil sanction of the anti-doping and medication control enforcement agency under this subparagraph shall be the final decision or civil sanction of the Authority, subject to review in accordance with section 9.

(C) TESTING.—The anti-doping enforcement agency shall perform and manage test distribution planning (including intelligence-based testing), the sample collection process, and in-competition and out-of-competition testing (including no-advance-notice testing).

(D) TESTING LABORATORIES.—The anti-doping and medication control enforcement agency shall accredit testing laboratories based upon the standards established under this Act, and shall monitor, test, and audit accredited laboratories to ensure continuing compliance with accreditation standards.

(5) ANTI-DOPING AND MEDICATION CONTROL STANDING COMMITTEE.—The anti-doping and medication control standing committee shall, in consultation with the anti-doping and medication control enforcement agency, develop lists of permitted and prohibited medications, methods, and substances for recommendation to, and approval by, the Authority. Any such list may prohibit the administration of any substance or method to a horse at any time after such horse becomes a covered horse if the Authority determines such substance or method has a long-term degrading effect on the soundness of a horse.

(d) PROHIBITION.—Except as provided in subsections (e) and (f), the horseracing anti-doping and medication control program shall prohibit the administration of any prohibited or otherwise permitted substance to a covered horse within 48 hours of its next racing start, effective as of the program effective date.

(e) ADVISORY COMMITTEE STUDY AND REPORT.—

(1) IN GENERAL.—Not later than the program effective date, the Authority shall convene an advisory committee comprised of horseracing anti-doping and medication control industry experts, including a member designated by the anti-doping and medication control enforcement agency, to conduct a study on the use of furosemide on horses during the 48-hour period before the start of a race, including the effect of furosemide on equine health and the integrity of competition and any other matter the Authority considers appropriate.

(2) REPORT.—Not later than three years after the program effective date, the Authority shall direct the advisory committee convened under paragraph (1) to submit to the Authority a written report on the study conducted under that paragraph that includes recommended changes, if any, to the prohibition in subsection (d).

(3) MODIFICATION OF PROHIBITION.—

(A) IN GENERAL.—After receipt of the report required by paragraph (2), the Authority may, by unanimous vote of the Board of the Authority, modify the prohibition in subsection (d) and, notwithstanding subsection (f), any such modification shall apply to all States beginning on the date that is three years after the program effective date.

(B) CONDITION.—In order for a unanimous vote described in subparagraph (A) to effect a modification of the prohibition in subsection (d), the vote must include unanimous adoption of each of the following findings:

(i) That the modification is warranted.

(ii) That the modification is in the best interests of horse racing.

(iii) That furosemide has no performance enhancing effect on individual horses.

(iv) That public confidence in the integrity and safety of racing would not be adversely affected by the modification.

(f) EXEMPTION.—

(1) IN GENERAL.—Except as provided in paragraph (2), only during the three-year period beginning on the program effective date, a State racing commission may submit to the Authority, at such time and in such manner as the Authority may require, a request for an exemption from the prohibition in subsection (d) with respect to the use of furosemide on covered horses during such period.

(2) EXCEPTIONS.—An exemption under paragraph (1) may not be requested for—

(A) two-year-old covered horses; or

(B) covered horses competing in stakes races.

(3) CONTENTS OF REQUEST.—A request under paragraph (1) shall specify the applicable State racing commission's requested limitations on the use of furosemide that would apply to the State under the horseracing anti-doping and medication control program during such period. Such limitations shall be no less restrictive on the use and administration of furosemide than the restrictions set forth in State's laws and regulations in effect as of September 1, 2020.

(4) GRANT OF EXEMPTION.—Subject to subsection (e)(3), the Authority shall grant an exemption requested under paragraph (1) for the remainder of such period and shall allow the use of furosemide on covered horses in the applicable State, in accordance with the requested limitations.

(g) BASELINE ANTI-DOPING AND MEDICATION CONTROL RULES.—

(1) IN GENERAL.—Subject to paragraph (3), the baseline anti-doping and medication control rules described in paragraph (2) shall—

(A) constitute the initial rules of the horseracing anti-doping and medication control program; and

(B) except as exempted pursuant to subsections (e) and (f), remain in effect at all times after the program effective date.

(2) BASELINE ANTI-DOPING MEDICATION CONTROL RULES DESCRIBED.—

(A) IN GENERAL.—The baseline anti-doping and medication control rules described in this paragraph are the following:

(i) The lists of permitted and prohibited substances (including drugs, medications, and naturally occurring substances and synthetically occurring substances) in effect for the International Federation of Horseracing Authorities, including the International Federation of Horseracing Authorities International Screening Limits for urine, dated May 2019, and the International Federation of Horseracing Authorities International Screening Limits for plasma, dated May 2019.

(ii) The World Anti-Doping Agency International Standard for Laboratories (version 10.0), dated November 12, 2019.

(iii) The Association of Racing Commissioners International out-of-competition testing standards, Model Rules of Racing (version 9.2).

(iv) The Association of Racing Commissioners International penalty and multiple medication violation rules, Model Rules of Racing (version 6.2).

(B) CONFLICT OF RULES.—In the case of a conflict among the rules described in subparagraph (A), the most stringent rule shall apply.

(3) MODIFICATIONS TO BASELINE RULES.—

(A) DEVELOPMENT BY ANTI-DOPING AND MEDICATION CONTROL STANDING COMMITTEE.—The anti-doping and medication control standing committee, in consultation with the anti-doping and medication control enforcement agency, may develop and submit to the Authority for approval by the Authority proposed modifications to the baseline anti-doping and medication control rules.

(B) AUTHORITY APPROVAL.—If the Authority approves a proposed modification under this paragraph, the proposed modification shall be submitted to and considered by the Commission in accordance with section 4.

(C) ANTI-DOPING AND MEDICATION CONTROL ENFORCEMENT AGENCY VETO AUTHORITY.—The Authority shall not approve any proposed modification that renders an anti-doping and medication control rule less stringent than the baseline anti-doping and medication control rules described in paragraph (2) (including by increasing permitted medication thresholds, adding permitted medications, removing prohibited medications, or weakening enforcement mechanisms) without the approval of the anti-doping and medication control enforcement agency.

SEC. 7. RACETRACK SAFETY PROGRAM.

(a) ESTABLISHMENT AND CONSIDERATIONS.—

(1) IN GENERAL.—Not later than the program effective date, and after notice and an opportunity for public comment in accordance with section 4, the Authority shall establish a racetrack safety program applicable to all covered horses, covered persons, and covered horseraces in accordance with the registration of covered persons under section 5(d).

(2) CONSIDERATIONS IN DEVELOPMENT OF SAFETY PROGRAM.—In the development of the horseracing safety program for covered horses, covered persons, and covered horseraces, the Authority and the Commission shall take into consideration existing safety standards including the National Thoroughbred Racing Association Safety and Integrity Alliance Code of Standards, the International Federation of Horseracing Authority's International Agreement on Breeding, Racing, and Wagering, and the British Horseracing Authority's Equine Health and Welfare program.

(b) ELEMENTS OF HORSERACING SAFETY PROGRAM.—The horseracing safety program shall include the following:

(1) A set of training and racing safety standards and protocols taking into account regional differences and the character of differing racing facilities.

(2) A uniform set of training and racing safety standards and protocols consistent with the humane treatment of covered horses, which may include lists of permitted and prohibited practices or methods (such as crop use).

(3) A racing surface quality maintenance system that—

(A) takes into account regional differences and the character of differing racing facilities; and

(B) may include requirements for track surface design and consistency and established standard operating procedures related to track surface, monitoring, and maintenance (such as standardized seasonal assessment, daily tracking, and measurement).

(4) A uniform set of track safety standards and protocols, that may include rules governing oversight and movement of covered horses and human and equine injury reporting and prevention.

(5) Programs for injury and fatality data analysis, that may include pre- and post-training and race inspections, use of a veterinarian's list, and concussion protocols.

(6) The undertaking of investigations at racetrack and non-racetrack facilities related to safety violations.

(7) Procedures for investigating, charging, and adjudicating violations and for the enforcement of civil sanctions for violations.

(8) A schedule of civil sanctions for violations.

(9) Disciplinary hearings, which may include binding arbitration, civil sanctions, and research.

(10) Management of violation results.

(11) Programs relating to safety and performance research and education.

(12) An evaluation and accreditation program that ensures that racetracks in the United States meet the standards described in the elements of the Horseracing Safety Program.

(c) ACTIVITIES.—The following activities shall be carried out under the racetrack safety program:

(1) STANDARDS FOR RACETRACK SAFETY.—The development, by the racetrack safety standing committee of the Authority in section 3(c)(2) of uniform standards for racetrack and horseracing safety.

(2) STANDARDS FOR SAFETY AND PERFORMANCE ACCREDITATION.—

(A) IN GENERAL.—Not later than 120 days before the program effective date, the Authority, in consultation with the racetrack safety standing committee, shall issue, by rule in accordance with section 4—

(i) safety and performance standards of accreditation for racetracks; and

(ii) the process by which a racetrack may achieve and maintain accreditation by the Authority.

(B) MODIFICATIONS.—

(i) IN GENERAL.—The Authority may modify rules establishing the standards issued under subparagraph (A), as the Authority considers appropriate.

(ii) NOTICE AND COMMENT.—The Commission shall publish in the Federal Register any proposed rule of the Authority, and provide an opportunity for public comment with respect to, any modification under clause (i) in accordance with section 4.

(C) EXTENSION OF PROVISIONAL OR INTERIM ACCREDITATION.—The Authority may, by rule in accordance with section 4, extend provisional or interim accreditation to a racetrack accredited by the National Thoroughbred Racing Association Safety and Integrity Alliance on a date before the program effective date.

(3) NATIONWIDE SAFETY AND PERFORMANCE DATABASE.—

(A) IN GENERAL.—Not later than one year after the program effective date, and after notice and an opportunity for public comment in accordance with section 4, the Authority, in consultation with the Commission, shall develop and maintain a nationwide database of racehorse safety, performance, health, and injury information for the purpose of conducting an epidemiological study.

(B) COLLECTION OF INFORMATION.—In accordance with the registration of covered persons under section 5(d), the Authority may require covered persons to collect and submit to the database described in subparagraph (A) such information as the Authority may require to further the goal of increased racehorse welfare.

SEC. 8. RULE VIOLATIONS AND CIVIL SANCTIONS.

(a) DESCRIPTION OF RULE VIOLATIONS.—

(1) IN GENERAL.—The Authority shall issue, by rule in accordance with section 4, a description of safety, performance, and anti-doping and medication control rule violations applicable to covered horses and covered persons.

(2) ELEMENTS.—The description of rule violations established under paragraph (1) may include the following:

(A) With respect to a covered horse, strict liability for covered trainers for—

(i) the presence of a prohibited substance or method in a sample or the use of a prohibited substance or method;

(ii) the presence of a permitted substance in a sample in excess of the amount allowed by the horseracing anti-doping and medication control program; and

(iii) the use of a permitted method in violation of the applicable limitations established under the horseracing anti-doping and medication control program.

(B) Attempted use of a prohibited substance or method on a covered horse.

(C) Possession of any prohibited substance or method.

(D) Attempted possession of any prohibited substance or method.

(E) Administration or attempted administration of any prohibited substance or method on a covered horse.

(F) Refusal or failure, without compelling justification, to submit a covered horse for sample collection.

(G) Failure to cooperate with the Authority or an agent of the Authority during any investigation.

(H) Failure to respond truthfully, to the best of a covered person's knowledge, to a question of the Authority or an agent of the Authority with respect to any matter under the jurisdiction of the Authority.

(I) Tampering or attempted tampering with the application of the safety, performance, or anti-doping and medication control rules or process adopted by the Authority, including—

(i) the intentional interference, or an attempt to interfere, with an official or agent of the Authority;

(ii) the procurement or the provision of fraudulent information to the Authority or agent; and

(iii) the intimidation of, or an attempt to intimidate, a potential witness.

(J) Trafficking or attempted trafficking in any prohibited substance or method.

(K) Assisting, encouraging, aiding, abetting, conspiring, covering up, or any other type of intentional complicity involving a safety, performance, or anti-doping and medication control rule violation or the violation of a period of suspension or eligibility.

(L) Threatening or seeking to intimidate a person with the intent of discouraging the person from the good faith reporting to the Authority, an agent of the Authority or the Commission, or the anti-doping and medication control enforcement agency under section 5(e), of information that relates to—

(i) an alleged safety, performance, or anti-doping and medication control rule violation; or

(ii) alleged noncompliance with a safety, performance, or anti-doping and medication control rule.

(b) TESTING LABORATORIES.—

(1) ACCREDITATION AND STANDARDS.—Not later than 120 days before the program effective date, the Authority shall, in consultation with the anti-doping and medication control enforcement agency, establish, by rule in accordance with section 4—

(A) standards of accreditation for laboratories involved in testing samples from covered horses;

(B) the process for achieving and maintaining accreditation; and

(C) the standards and protocols for testing such samples.

(2) ADMINISTRATION.—The accreditation of laboratories and the conduct of audits of accredited laboratories to ensure compliance with Authority rules shall be administered by the anti-doping and medication control enforcement agency. The anti-doping and medication control enforcement agency shall have the authority to require specific test samples to be directed to and tested by laboratories having special expertise in the required tests.

(3) EXTENSION OF PROVISIONAL OR INTERIM ACCREDITATION.—The Authority may, by rule in accordance with section 4, extend provisional or interim accreditation to a laboratory accredited by the Racing Medication and Testing Consortium, Inc., on a date before the program effective date.

(4) SELECTION OF LABORATORIES.—

(A) IN GENERAL.—Except as provided in paragraph (2), a State racing commission may select a laboratory accredited in accordance with the standards established under paragraph (1) to test samples taken in the applicable State.

(B) SELECTION BY THE AUTHORITY.—If a State racing commission does not select an accredited laboratory under subparagraph (A), the Authority shall select such a laboratory to test samples taken in the State concerned.

(c) RESULTS MANAGEMENT AND DISCIPLINARY PROCESS.—

(1) IN GENERAL.—Not later than 120 days before the program effective date, the Authority shall establish in accordance with section 4—

(A) rules for safety, performance, and anti-doping and medication control results management; and

(B) the disciplinary process for safety, performance, and anti-doping and medication control rule violations.

(2) ELEMENTS.—The rules and process established under paragraph (1) shall include the following:

(A) Provisions for notification of safety, performance, and anti-doping and medication control rule violations.

(B) Hearing procedures.

(C) Standards for burden of proof.

(D) Presumptions.

(E) Evidentiary rules.

(F) Appeals.

(G) Guidelines for confidentiality and public reporting of decisions.

(3) DUE PROCESS.—The rules established under paragraph (1) shall provide for adequate due process, including impartial hearing officers or tribunals commensurate with the seriousness of the alleged safety, performance, or anti-doping and medication control rule violation and the possible civil sanctions for such violation.

(d) CIVIL SANCTIONS.—

(1) IN GENERAL.—The Authority shall establish uniform rules, in accordance with section 4, imposing civil sanctions against covered persons or covered horses for safety, performance, and anti-doping and medication control rule violations.

(2) REQUIREMENTS.—The rules established under paragraph (1) shall—

(A) take into account the unique aspects of horseracing;

(B) be designed to ensure fair and transparent horseraces; and

(C) deter safety, performance, and anti-doping and medication control rule violations.

(3) SEVERITY.—The civil sanctions under paragraph (1) may include—

(A) lifetime bans from horseracing, disgorgement of purses, monetary fines and penalties, and changes to the order of finish in covered races; and

(B) with respect to anti-doping and medication control rule violators, an opportunity to reduce the applicable civil sanctions that is comparable to the opportunity provided by the Protocol for Olympic Movement Testing of the United States Anti-Doping Agency.

(e) MODIFICATIONS.—The Authority may propose a modification to any rule established under this section as the Authority considers appropriate, and the proposed modification shall be submitted to and considered by the Commission in accordance with section 4.

SEC. 9. REVIEW OF FINAL DECISIONS OF THE AUTHORITY.

(a) NOTICE OF CIVIL SANCTIONS.— If the Authority imposes a final civil sanction for a violation committed by a covered person pursuant to the rules or standards of the Authority, the Authority shall promptly submit to the Commission notice of the civil sanction in such form as the Commission may require.

(b) REVIEW BY ADMINISTRATIVE LAW JUDGE.—

(1) IN GENERAL.—With respect to a final civil sanction imposed by the Authority, on application by the Commission or a person aggrieved by the civil sanction filed not later than 30 days after the date on which notice under subsection (a) is submitted, the civil sanction shall be subject to de novo review by an administrative law judge.

(2) NATURE OF REVIEW.—

(A) IN GENERAL.—In matters reviewed under this subsection, the administrative law judge shall determine whether—

(i) a person has engaged in such acts or practices, or has omitted such acts or practices, as the Authority has found the person to have engaged in or omitted;

(ii) such acts, practices, or omissions are in violation of this Act or the anti-doping and medication control or racetrack safety rules approved by the Commission; or

(iii) the final civil sanction of the Authority was arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law.

(B) CONDUCT OF HEARING.—An administrative law judge shall conduct a hearing under this subsection in such a manner as the Commission may specify by rule, which shall conform to section 556 of title 5, United States Code.

(3) DECISION BY ADMINISTRATIVE LAW JUDGE.—

(A) IN GENERAL.—With respect to a matter reviewed under this subsection, an administrative law judge—

(i) shall render a decision not later than 60 days after the conclusion of the hearing;

(ii) may affirm, reverse, modify, set aside, or remand for further proceedings, in whole or in part, the final civil sanction of the Authority; and

(iii) may make any finding or conclusion that, in the judgment of the administrative law judge, is proper and based on the record.

(B) FINAL DECISION.—A decision under this paragraph shall constitute the decision of the Commission without further proceedings unless a notice or an application for review is timely filed under subsection (c).

(c) REVIEW BY COMMISSION.—

(1) NOTICE OF REVIEW BY COMMISSION.—The Commission may, on its own motion, review any decision of an administrative law judge issued under subsection (b)(3) by providing written notice to the Authority and any interested party not later than 30 days after the date on which the administrative law judge issues the decision.

(2) APPLICATION FOR REVIEW.—

(A) IN GENERAL.—The Authority or a person aggrieved by a decision issued under subsection (b)(3) may petition the Commission for review of such decision by filing an application for review not later than 30 days after the date on which the administrative law judge issues the decision.

(B) EFFECT OF DENIAL OF APPLICATION FOR REVIEW.—If an application for review under subparagraph (A) is denied, the decision of the administrative law judge shall constitute the decision of the Commission without further proceedings.

(C) DISCRETION OF COMMISSION.—

(i) IN GENERAL.—A decision with respect to whether to grant an application for review under subparagraph (A) is subject to the discretion of the Commission.

(ii) MATTERS TO BE CONSIDERED.—In determining whether to grant such an application for review, the Commission shall consider whether the application makes a reasonable showing that—

(I) a prejudicial error was committed in the conduct of the proceeding; or

(II) the decision involved—

(aa) an erroneous application of the anti-doping and medication control or racetrack safety rules approved by the Commission; or

(bb) an exercise of discretion or a decision of law or policy that warrants review by the Commission.

(3) NATURE OF REVIEW.—

(A) IN GENERAL.—In matters reviewed under this subsection, the Commission may—

(i) affirm, reverse, modify, set aside, or remand for further proceedings, in whole or in part, the decision of the administrative law judge; and

(ii) make any finding or conclusion that, in the judgement of the Commission, is proper and based on the record.

(B) DE NOVO REVIEW.—The Commission shall review de novo the factual findings and conclusions of law made by the administrative law judge.

(C) CONSIDERATION OF ADDITIONAL EVIDENCE.—

(i) MOTION BY COMMISSION.—The Commission may, on its own motion, allow the consideration of additional evidence.

(ii) MOTION BY A PARTY.—

(I) IN GENERAL.—A party may file a motion to consider additional evidence at any time before the issuance of a decision by the Commission, which shall show, with particularity, that—

(aa) such additional evidence is material; and

(bb) there were reasonable grounds for failure to submit the evidence previously.

(II) PROCEDURE.—The Commission may—

(aa) accept or hear additional evidence; or

(bb) remand the proceeding to the administrative law judge for the consideration of additional evidence.

(d) STAY OF PROCEEDINGS.—Review by an administrative law judge or the Commission under this section shall not operate as a stay of a final civil sanction of the Authority unless the administrative law judge or Commission orders such a stay.

SEC. 10. UNFAIR OR DECEPTIVE ACTS OR PRACTICES.

The sale of a covered horse, or of any other horse in anticipation of its future participation in a covered race, shall be considered an unfair or deceptive act or practice in or affecting commerce under section 5(a) of the Federal Trade Commission Act (15 U.S.C. 45(a)) if the seller—

(1) knows or has reason to know the horse has been administered—

(A) a bisphosphonate prior to the horse's fourth birthday; or

(B) any other substance or method the Authority determines has a long-term degrading effect on the soundness of the covered horse; and

(2) fails to disclose to the buyer the administration of the bisphosphonate or other substance or method described in paragraph (1)(B).

SEC. 11. STATE DELEGATION; COOPERATION.

(a) STATE DELEGATION.—

(1) IN GENERAL.—The Authority may enter into an agreement with a State racing commission to implement, within the jurisdiction of the State racing commission, a component of the racetrack safety program or, with the concurrence of the anti-doping and medication control enforcement agency under section 5(e), a component of the horseracing anti-doping and medication control program, if the Authority determines that the State racing commission has the ability to implement such component in accordance with the rules, standards, and requirements established by the Authority.

(2) IMPLEMENTATION BY STATE RACING COMMISSION.—A State racing commission or other appropriate regulatory body of a State may not implement such a component in a manner less restrictive than the rule, standard, or requirement established by the Authority.

(b) COOPERATION.—To avoid duplication of functions, facilities, and personnel, and to attain closer coordination and greater effectiveness and economy in administration of Federal and State law, where conduct by any person subject to the horseracing medication control program or the racetrack safety program may involve both a medication control or racetrack safety rule violation and violation of Federal or State law, the Authority and Federal or State law enforcement authorities shall cooperate and share information.

SEC. 12. 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 Oregon (Mr. WALDEN) 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. 1754.

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.

I rise to speak in support of H.R. 1754. Horseracing in the United States is more than just a sport; it is a tradition. But far too often, the joy of the races is marred by accidents that endanger both the horses and the riders.

Last year, nearly 450 thoroughbred racehorses in the United States suffered fatal injuries. The fatality rate in the U.S. is between 2½ to 5 times greater per race start than the fatality rates in Europe and Asia. Some of the key reasons for these higher fatality rates are our drug policies, training and race protocols, and racetrack standards.

In the United States, racehorses are commonly administered pain medications to ease discomfort and reduce inflammation. These medications may mask relatively minor injuries, making prerace detection of injuries more difficult.

The stress and pressure generated by a 1,100-pound racehorse sprinting at speeds up to 40 miles per hour can cause minor injuries to become catastrophic breaks that ultimately lead to a horse's death. That is why only a limited number of pain suppressors are permitted to be administered to racehorses internationally and in the U.S.

While many permitted pain suppressors are banned from being administered several days or even weeks before an international horserace, many of those same medications are permitted to be administered to racehorses a day or two before most races start in the United States.

Racehorses need appropriate time to recover after intense physical activity and should not train or race if suffering from soreness, swelling, or pain indicative of a more severe ailment. And racehorses should not race or train on unsuitable, treacherous tracks.

Mr. Speaker, horseracing currently has no national governing body and is, instead, regulated independently by each of the 38 States in which the sport is legal. Therefore, implementing change to address these issues is difficult.

The bill, the Horseracing Integrity and Safety Act, addresses these challenges head-on. The bill establishes uniform standards for antidoping and medication control and racetrack safety for thoroughbred horseracing. This will help ensure that we can maintain a safe, thriving horseracing industry.

It also applies stronger safeguards and enforcement against performance-enhancing drugs, or PEDs.

For a sport in which fans place billions of dollars of bets, trust in the authenticity of competition is crucial. The very legitimacy of the sport is undermined if the competitors and public cannot trust that all racehorses are competing on a level playing field.

I am pleased that the Humane Society, the Jockey Club, the Breeders' Cup, Animal Welfare Action, several racetracks, and many horsemen support this bill.

I want to thank Representative TONKO and Consumer Protection and Commerce Subcommittee Chair SCHAKOWSKY for their tireless leadership on this issue.

The bill is the first step toward a safer, fairer horseracing industry, and that is a bill I am proud to support.

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

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

I rise today in support of H.R. 1754, the Horseracing Integrity and Safety Act of 2020.

From the Pacific Northwest to the renowned racetracks in Kentucky, New York, and New Jersey, horseracing holds a very special place in our culture and in our local community life. In my district alone, thousands of people a year travel to Pendleton, Oregon—well, most years, other than with COVID; in 2020, we didn't have the Pendleton Round-Up, but they do almost every other year—to participate in the world-famous Pendleton Round-Up. So, I am no stranger to the important role of horses and horseracing and what a role that plays in our lives.

Currently, horseracing is regulated on a State-by-State basis, as you heard, and despite the industry's best efforts, some inconsistencies still exist in the regulation of horses. This bill is designed to provide national uniformity on antidoping and medication programs, as well as racetrack safety standards.

□ 1300

H.R. 1754 would establish the horse racing integrity and safety authority. This would be a private, independent, self-regulatory, nonprofit corporation that would develop and implement a

horseracing antidoping and medication control program as well as a racetrack safety program.

I am pleased to see updates to the original Horse Racing Integrity Act that my friend Senate Majority Leader MITCH MCCONNELL, as well as my colleagues Mr. TONKO and Mr. BARR, worked with industry to include.

Mr. Speaker, I urge my colleagues to support this improved version, and I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. TONKO).

Mr. Speaker, let me say how proud we are, both he, for representing Saratoga, and I, for representing Monmouth Park, two very historic race tracks that we are very proud of.

Mr. TONKO. Mr. Speaker, I thank the chairman for yielding.

Mr. Speaker, I rise in strong support of the Horseracing Integrity and Safety Act.

More than 5 years ago, I, along with my good friend and colleague, Representative ANDY BARR, introduced the first version of this legislation. It has been an honor to work with Representative BARR for many years to get to this point that speaks to an industry that provides many, many jobs and is a deeply rooted bit of history in these United States. Now we will move forward with a very good bill.

I offer my sincere thanks to Chairman PALLONE and Ranking Member WALDEN for their support and to also echo my support and thanks to our Subcommittee on Consumer Protection and Commerce chair, JAN SCHAKOWSKY, and the ranking member, Representative RODGERS, for their support and guidance, also, throughout this process.

Now, with the support and leadership of Majority Leader MCCONNELL and Senator KIRSTEN GILLIBRAND in the Senate, we are finally poised to cross the finish line on this historic reform.

I need to thank Jeff Morgan, our legislative director in my office, for the numerous, numerous hours that he has spent on making certain that, as we move to the finish line on this process, details were addressed and concerns were also equally responded to.

Horseracing, as it has been said, has been long woven into the fabric of our American culture. Storied names like Secretariat, War Admiral, and Man o' War, stir the imagination of racing fans not only in this country but all over the world.

In addition to its cultural import, horseracing serves as an economic driver in many parts of the country. That certainly is true in my congressional district, home of the Nation's oldest track, the fabled Saratoga Race Course.

The horseracing industry generates some $26.1 billion in direct economic impact nationwide, including $5 billion in my home State of New York.

In 2015, I had the chance to see, in person, the sport at its very best when I bore witness to the historic run by American Pharaoh in the Belmont to capture the Triple Crown.

When we place a majestic equine athlete like American Pharaoh at the forefront, this endeavor can capture, truly, the imagination of the Nation, and the sport of horseracing can thrive. However, we have also seen the devastating results that can occur when these equine athletes are pushed beyond their limits, often aided by medications that can mask underlying health issues.

This same story has played out countless times across the country because the current medication reforms have been implemented unevenly, leaving patchwork systems in place that have created a wide disparity in the effectiveness of medication testing and enforcement and racetrack safety standards. That patchwork system simply doesn't work.

This national approach brings great hope to the integrity of this great industry. If horseracing is to thrive as an industry and once again capture the public's imagination, then we must do better. So I am, indeed, pleased that today, after many years of work, we will take those first steps on the road to reform.

Our legislation would recognize the horseracing integrity and safety authority as a private, not-for-profit organization responsible for developing and implementing a horseracing antidoping and medication control program and a racetrack safety program. This authority would partner with the U.S. Anti-Doping Agency, USADA, to develop effective testing protocols, uniform standards and penalties, as well as proper lab accreditation.

The board of the authority would also include voices representing a spectrum of perspectives within the horseracing industry, subject to strict conflict-of-interest rules, including owners, breeders, horsemen, racetracks, and veterinarians.

The revised legislation would also require the creation of a national racetrack safety program establishing safety standards for training and racing; racetrack surfaces; injury-related data analyses; safety violation investigation, hearings, and sanctions. Adding a racetrack safety component to the bill will help make the sport significantly safer for our equine athletes and jockeys.

While no legislation is perfect, the agreement represented in this bill has the support of the overwhelming majority of not only the horseracing industry, including all three tracks that host Triple Crown races, the Jockey Club, and the Breeders' Cup, but also major animal welfare groups like the Humane Society, Animal Wellness Action, and the grassroots Water Hay Oats Alliance.

Mr. Speaker, this is truly a win-win-win for the industry, sports fans, and our equine athletes. It puts the equine athlete at the epicenter of this legislation and concern. It is safer as an outcome for our jockeys, important in that sport, and I urge all of my colleagues to support H.R. 1754.

Again, I thank the chairman of the committee, FRANK PALLONE, for bringing this forward and all who have worked so steadfastly on the results that we have achieved today.

The SPEAKER pro tempore (Ms. SCANLON). Without objection, the gentlewoman from Washington will control the minority's time.

There was no objection.

Mrs. RODGERS of Washington. Madam Speaker, this legislation has been a huge priority for the gentleman from Kentucky (Mr. BARR). He has done a lot of work on it. He proudly represents horse country in Kentucky.

Madam Speaker, I yield such time as he may consume to the gentleman from Kentucky (Mr. BARR).

Mr. BARR. Madam Speaker, I thank the gentlewoman for yielding.

Madam Speaker, I rise in strong support of the majestic and time-honored sport of thoroughbred racing, a beloved tradition in the United States since the early days of the Republic and the signature industry of my home State, the Commonwealth of Kentucky.

Sometimes referred to as the sport of kings, Americans—and I would dare to say, especially Kentuckians—have made this the sport of all Americans through the inspiring stories of amazing athletes with names like Sir Barton, Man o' War, War Admiral, Secretariat, Seattle Slew, Affirmed, American Pharaoh, and Justify in recent years.

To that end, I further rise in favor of H.R. 1754, the Horseracing Integrity and Safety Act, bipartisan legislation that I introduced in one form or another during the last three terms of Congress with my colleague and good friend, the gentleman from New York, PAUL TONKO. I thank Paul for his partnership in this long, tireless effort.

After many years of negotiation and deliberation, today I stand proud to finally bring this legislation to the House floor for a vote.

Throughout my time in Congress, I have worked diligently to enact policies that will promote economic growth and investment in this key Kentucky industry. My district, Kentucky's Sixth Congressional District, well-known as the Horse Capital of the World, is home to more than 400 horse farms and the world-famous Keeneland Race Course in Lexington, Kentucky, which not only serves as the global leader in breeding stock sales, but also hosts many notable races, including the great Toyota Blue Grass Stakes and Breeders' Cup, which will be, once again, held at the racetrack this November.

Many of my constituents have a close connection to and an affinity for both Keeneland and thoroughbred racing. My own grandfather, J.B. Faulconer, was Keeneland's first publicist and later the vice president of the Thoroughbred Racing Associations in New

York, where he was credited with naming the Eclipse Awards.

Several years ago, as I reviewed the minutes of the Jockey Club roundtable meetings when my grandfather was active in the industry, I noticed that, even then, four and five decades ago, leaders in the industry lamented the lack of unity among the various constituencies within the industry. They regretted the fact that there wasn't uniformity in the rules of racing, and particularly in medication rules.

Thoroughbred racing is not just about our culture and heritage. There has always been immense pride in the enormous contributions of this great sport to American culture. But it is also a major source of jobs and economic opportunity for our people. In fact, the industry is responsible for 44,100 direct jobs and over 16,000 indirect jobs in Kentucky alone.

With the privilege of representing this unique industry comes the responsibility of fighting for its future. This sport is not solely relevant in those States that are home to the Triple Crown, like Kentucky, Maryland, and New York. Horseracing is very much a national sport, prominent in places like California, Florida, Arkansas, New Jersey, Illinois, and Louisiana.

The horse industry contributes approximately $26 billion, as my friend, PAUL TONKO, pointed out, but in some estimates, up to $50 billion in direct economic impact to the U.S. economy; and it has a direct employment impact of 988,394 jobs. Therefore, advocating for this industry requires more than just celebrating its proud heritage.

I have always believed that the future prosperity of this sport depends on uniformity of the rules of racing. Currently, as has been noted, regulated by 38 separate racing jurisdictions, the thoroughbred horseracing industry labors under a patchwork of conflicting and inconsistent State-based rules governing prohibited substances, lab accreditation, testing, and penalties for violations.

This lack of uniformity has impeded interstate commerce; it has compromised the international competitiveness of the industry; it has undermined public confidence in the safety and integrity of the sport; and the industry is in desperate need of certainty.

As a conservative who believes in federalism and States' rights, I, nevertheless, understand that the Constitution gives Congress the power to regulate interstate commerce precisely for the purpose of eliminating these kinds of impediments to interstate exchange.

As I have said many times, as a limited government conservative, this legislative effort is not about more regulation. It is about creating a single, nationwide set of rules that will result in smarter, more effective, and streamlined regulation for the industry.

The Horseracing Integrity and Safety Act will remedy this lack of uniformity, the issue central to maintaining the integrity of the sport, by authorizing the creation of a nongovernmental regulatory safety authority and fairness, governed by representatives of all major constituencies of the industry and responsible for implementing a national uniform medication and track safety program.

Specifically, the legislation would recognize the horseracing integrity and safety authority, which will be tasked with creating uniform national standards regarding prohibited and permitted substances for use in race horses, establishing an accreditation system for laboratories to test drug samples, and developing regional standards for racetrack safety.

As I have said, this legislation builds on the bipartisan legislation Representative TONKO and I have introduced in previous Congresses and incorporates feedback from an expanded group of industry stakeholders to enact these much-needed reforms that will protect the safety of our equine and human athletes.

I want to thank the coalition of organizations that have supported this legislation from the very beginning, including the Water Hay Oats Alliance; a special thanks goes to Arthur and Staci Hancock, my constituents, of Stone Farm in Bourbon County, Kentucky, for their tireless and relentless persistence and advocacy; the Jockey Club; Breeders' Cup International, headquartered in my district; Keeneland, Kentucky Thoroughbred Association; the Thoroughbred Owners and Breeders Association; and the Jockeys' Guild, because the jockeys know how important safety is, with a special mention of Chris McCarron, for advocating for their fellow jockeys and their safety.

I also want to thank members of our expanded coalition, including CEO Bill Carstanjen and the board of directors of Churchill Downs International and prominent trainer Dale Romans.

I want to thank Ed Whitfield, former Member of Congress from Kentucky, who really trailblazed on this issue.

I want to thank Senate Majority Leader MITCH MCCONNELL for his leadership in not only introducing companion legislation, but legislation that I believe materially improves on our previous versions by adding a focus on track surface safety and by making reasonable minor changes that have enabled us to enlarge our coalition of support and bring more organizations within the industry together in support of our legislation.

Madam Speaker, the Horseracing Integrity and Safety Act was developed through a highly deliberative and bipartisan process and takes into consideration a diversity of perspectives from all parts of the industry. I appreciate the willingness of all constituencies within the industry to compromise and to forge a consensus product. This was not easy, but it was necessary to get us to this historic day for this great sport.

□ 1315

The result is support from the majority of Members of this House and Senator MCCONNELL's bipartisan companion legislation in the Senate.

Today's vote is a vitally important step in advancing reforms to protect our equine athletes and jockeys, to ensure confidence in the safety and integrity of the sport within the majority of the wagering public, and enable the industry to attract a new generation of fans and investors to strengthen the thoroughbred breed.

And because this is truly an international sport and industry, this bill will make American thoroughbred racing and breeding stronger and more internationally competitive. And it will also secure thousands of both direct and indirect jobs in the Sixth Congressional District and beyond that depend on a thriving thoroughbred horseracing and breeding industry.

Madam Speaker, I thank Chairman PALLONE for his leadership on this issue, Ranking Member WALDEN for joining to help shepherd this legislation through the process, and especially, again, my good friend, PAUL TONKO, who represents a great American racecourse in Saratoga Springs.

I really appreciate, in this time of admitted partisanship and polarization, an opportunity for this country to come together and unite behind a great cause.

Madam Speaker, I urge my colleagues to support the Horseracing Integrity and Safety Act.

Mrs. RODGERS of Washington. Madam Speaker, I yield back the balance of my time.

Mr. PALLONE. Madam Speaker, I yield such time as she may consume to the gentlewoman from Illinois (Ms. SCHAKOWSKY), the chairwoman of the Subcommittee on Consumer Protection and Commerce, who has been a tireless leader on this issue, and, in particular, for the protection of animals.

Ms. SCHAKOWSKY. Madam Speaker, I thank the chairman for yielding.

Madam Speaker, I rise today in strong support of H.R. 1754, the Horseracing Integrity Act, and the really amazing, relentless work that my colleagues, PAUL TONKO and Mr. BARR, have exerted all session this year, last year, the year before, to make this a reality.

Madam Speaker, compromise is often hard to find. And the number of stakeholders that have been involved has made it even more complicated but, finally, successful. This legislation is the result of that compromise. The amendment includes such important improvements in establishing safety, not only for the equine athletes, our horses, but also for the jockeys.

Madam Speaker, you have heard a lot from both of the chief sponsors on this legislation, but I want to say that this bill will help achieve our overarching goal to protect the health and welfare of our racehorses and jockeys while strengthening the integrity of the sport itself, which is so important.

Madam Speaker, I want to emphasize something that Mr. TONKO was talking about, because let's not forget why we are here. Racehorses in the United States are injured at a much higher rate than the rest of the horse-racing world, resulting in nearly 500 horses dying every year.

One of the keys to stopping injuries and deaths is establishing strong drug policies, training, and racing protocols and racetrack standards. Standards like pre-race detection and appropriate treatment for injuries. The stress and pressure generated by an 1,100-pound animal sprinting down the track at, sometimes a rate of up to 40 miles an hour, can cause minor injuries to become fatal breaks.

Madam Speaker, as a former horse owner myself, and my horse came from a track not among the names that Mr. BARR listed—actually, he was probably thrown off the track, he wasn't very good—and came to the barn that I would go to. And I had the pleasure of having some years of the rest of his life for him to be my horse—BJ Sullivan.

He would take me down the paths in the forest preserve and he also helped me learn how to jump over fences, not too high, but pretty well. And I think sometimes, until this piece of legislation, maybe he was kind of lucky not to be one of the winners, and not to be one of the ones who would be drugged and not protected. And as the stand-in jockey, I was pretty safe on the back of BJ Sullivan, who was very honest when it came to jumping over fences.

Madam Speaker, I am very, very proud today. Rather than treating the underlying conditions, some racehorses are given pain medications to ease their pain, and the pain medications mask the relatively minor injuries that could actually become much more serious.

This legislation, as you heard in detail, I think is the kind of legislation that is really going to enhance the industry and enhance the safety of riders, of jockeys, as well as our horses.

Madam Speaker, I am so proud to be a cosponsor of the bill, and I thank our lead sponsors.

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

Madam Speaker, I thank everyone who spoke. I know that Ms. SCHAKOWSKY is such a champion for animals—horses and other animals. And, of course, Mr. TONKO has worked so hard and aggressively—I guess is the best way to put it—on this legislation. But also, when I listen to Mr. BARR, my colleague from Kentucky, talk about Kentucky and racetracks, I could just as easily have substituted Monmouth Park, which is my thoroughbred track, for almost everything he said.

Monmouth Park is less than a mile from my district office in my hometown. My father, my uncle—so many people in my family—either worked there or bet there or enjoyed the horses there. But particularly when you talked about the industry, in my home county, which is Monmouth County, it is not only a question of jobs, which there are so many that depend on the track, but also open space.

As you know, New Jersey is the most densely populated State. And we are in part of the State that still has a lot of farms, but most of them are horse farms. And without those horse farms, the very character of Monmouth County would not be the same. Whether it is the economics, whether it is open space, or it is just a tradition, this bill makes it possible, in my opinion, for that to continue. And, hopefully, as Mr. BARR said, open up to new fans as well.

Madam Speaker, this is a very important piece of legislation, and I urge my colleagues to support it.

Madam 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. 1754, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

CONSUMER PRODUCT SAFETY INSPECTION ENHANCEMENT ACT

Mr. PALLONE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 8134) to support the Consumer Product Safety Commission's capability to protect consumers from unsafe consumer products, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 8134

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 ''Consumer Product Safety Inspection Enhancement Act''.

SEC. 2. ENHANCED RISK ASSESSMENT METHODOLOGY.

Section 17 of the Consumer Product Safety Act (15 U.S.C. 2066) is amended by adding at the end the following new subsection:

''(i) ENHANCED RISK ASSESSMENT METHODOLOGY.—

''(1) IN GENERAL.—Not later than 18 months after the date of enactment of the Consumer Product Safety Inspection Enhancement Act, the Commission shall enhance targeting, surveillance, and screening of consumer products entering the United States at ports of entry, including ports of entry for de minimis shipments, by—

''(A) working in consultation with Customs and Border Protection to—

''(i) access and leverage all available data, including manifest data, to enhance targeting of violative consumer products, including de minimis shipments containing violative consumer products;

''(ii) access and leverage intellectual property rights seizure data to target products that may have both intellectual property rights infringements and consumer product safety violations;

''(iii) prioritize shipments coming from the People's Republic of China; and

''(iv) use the Participating Government Agencies Message Set, or any successor program, and additional consumer product specific data elements, including certificates of compliance and any other data that the Commission needs, to help risk assess and target violative consumer products; and

''(B) building and improving information technology systems to support electronic access to and connection with the data and targeting systems associated with express consignment carrier facilities, international mail facilities, electronic commerce platforms, and other applicable system participants.

''(2) ELECTRONIC FILING OF CERTIFICATES OF COMPLIANCE.—Beginning not later than 2 years after the date of enactment of the Consumer Product Safety Inspection Enhancement Act, certificates of compliance shall be filed electronically for consumer products intended for entry into the United States to enhance risk assessment and target de minimis shipments containing violative consumer products.

''(3) DEFINITIONS.—As used in this subsection—

''(A) the term 'de minimis shipments' means articles containing consumer products entering the United States under the de minimis value exemption in 19 U.S.C. 1321(a)(2)(C);

''(B) the term 'express consignment carrier facility' means a separate or shared specialized facility approved by the port director solely for the examination and release of express consignment shipments;

''(C) the term 'ports of entry for de minimis shipments' means environments where de minimis shipments are processed, including express consignment carrier facilities, international mail facilities, and air cargo facilities;

''(D) the term 'violative consumer products' means consumer products in violation of an applicable consumer product safety rule under this Act or any similar rule, regulation, standard, or ban under any other Act enforced by the Commission.''.

SEC. 3. ADDITIONAL CPSC SURVEILLANCE PERSONNEL AT KEY PORTS OF ENTRY FOR DE MINIMIS SHIPMENTS.

The Commission shall hire, train, and assign not fewer than 16 full-time equivalent personnel during each fiscal year and to be stationed at or supporting efforts at ports of entry, including ports of entry for de minimis shipments, for the purpose of identifying, assessing, and addressing shipments of violative consumer products. Such hiring shall continue during each fiscal year until the total number of full-time equivalent personnel equals and sustains the staffing requirements identified in the report to Congress required under section 4.

SEC. 4. REPORT TO CONGRESS.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Commission shall transmit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, and make publicly available, a study and report assessing the risk to consumers associated with the targeting and screening of de minimis e-commerce shipments.

(b) REPORT REQUIREMENTS.—In the study and report, the Commission shall—

(1) examine a sampling of de minimis shipments at a sufficient and representative sample of all types of ports of entry where de minimis shipments are processed, including