Research Guide: History of the Horse Protection Act

Last Modified:

The Horse Protection Act (HPA) (§ 1821 *et seq*.), was first passed in Congress in 1970 and signed into law by President Richard M. Nixon. The purpose of the law is to end the cruel and inhumane practice of soring, which involves injuring the legs and feet of horses, particularly Tennessee Walking Horses, to alter their natural gait to gain an unfair competitive advantage in horse shows and exhibitions.

View History of the Horse Protection Act

Legal References and Resources

Expand All

Legislative History

The HPA is a non-positive law title that has been compiled in Title 15, Chapter 44, §§ 1821 – 1831 of the U.S. Code. The HPA was enacted in 1970 and amended once in 1976.

Bill Number, Name, and Year of Legislation	Public Law Number	Statutes-at-Large Citation

S. 2543, Horse Protection Act of 1970	Pub. L. 91-540	84 Stat. 1404
S. 811, Horse Protection Act Amendments of 1976	Pub. L. 94-360	90 Stat. 915

Rulemaking History

The regulations established under the HPA are codified in the Code of Federal Regulations (CFR) in Title 9 (Animal and Animal Products), Chapter I (Animal and Plant Health Inspection Service, United States Department of Agriculture), Subchapter A (Animal Welfare), Part 11 (Horse Protection Regulations) and Part 12 (Rules of Practice Governing Proceedings under the Horse Protection Act). Part 11 consists of §§ 11.1 – 11.41 and Part 12 is arranged in two Subparts: Subpart A (General) contains §12.1 and Subpart B (Supplemental Rules of Practice) contains §12.10.

The regulations have been amended 11 times. The following are the Federal Register notices that have been published in connection with the regulations promulgated under the HPA, arranged chronologically by decade:

Expand All

1970s

- “Horse Protection.” Proposed rule. 36 FR 12586 (July 1, 1971)
- “Horse Protection.” Proposed Rule. 36 FR 21318 (November 5, 1971).
- “Horse Protection Regulations.” Final Rule. 37 FR 2426 (Feb. 1, 1972)
- “Horse Protection. Clarification of Boots.” Correcting amendment. 37 FR 9018 (May 4, 1972)
- “Horse Protection Regulations, Proposed Rule Making Regarding Scars and Limitations on Boots.” Proposed rule. 38 FR 4408 (February 14, 1973)
- “Devices and Substances for Use on Horses at Certain Horse Shows; Proposed Prohibitions.” Proposed rule. 40 FR 6978 (February 18, 1975)
- “Horse Protection Regulations. Devices and Substances for Use on Horses at Certain Horse Shows.” Extension of Time to Submit Written Data, Views, and

Arguments. 40 FR 12514 (March 19, 1975)

- “Horse Protection Regulations. Devices and Substances for Use on Horses at Certain Horse Shows.” Final Rule. 40 FR 36553 (August 21, 1975)
- “Horse Protection Amendments of 1976, Meeting.” Notice. 41 FR 41125 (September 21, 1976)
- “Horse Protection Regulations, Proposed Regulations under the Horse Protection Act.” Proposed rule. 43 FR 18514 (April 28, 1978)
- “Horse Protection Regulations.” Notice of extension of time for comments. 43 FR 24064 (June 2, 1978)
- “Definition of Terms and Certification and Licensing of Designated Qualified Persons.” Final rule. 44 FR 1558 (January 5, 1979)
- “Prohibition Concerning Exhibitors of Horses, Transportation, Inspection and Detention of Certain Horses, Responsibilities, Liabilities, and Requirements of Management, Horse Industry Organizations and Associations, and Certain Other Persons, and Amendment to Clarify Final Rulemaking Regarding Designated Qualified Persons.” Final rule. 44 FR 25172 (April 27, 1979)

1980s

- “Horse Protection Regulations.” Interim rule and request for comments. 53 FR 14778 (April 26, 1988).
- “Horse Protection.” Interim rule and request for comments. 53 FR 15640 (May 2, 1988).
- “Horse Protection Regulations.” Interim rule and request for comments. 53 FR 28366-28,373 (July 28, 1988).
- “Horse Protection Regulations.” Interim rule and request for comments. 53 FR 41561 (October 24, 1988).
- “Horse Protection Regulations.” Final rule. 54 FR 7174 (February 17, 1989).
- “Horse Protection Regulations.” Advance notice of proposed rulemaking. 54 FR 20605 (May 12, 1989).

1990s

- “Horse Protection Inspection Guidelines.” Proposed rule. 55 FR 11385 (March 28, 1990).
- “Horse Protection Inspection Guidelines.” Final rule. 55 FR 41989 (October 17, 1990).
- “Horse Protection Inspection Guidelines.” Proposed rule. 56 FR 26043 (June 6, 1991).
- “Horse Protection Inspection Guidelines.” Final rule. 57 FR 62173 (December 30, 1992).
- “Horse Protection; Public Meetings.” Notice of public meetings. 61 FR 34747 (July 3, 1996).
- “Availability of Horse Protection Strategic Plan.” Notice. 62 FR 63510 (December 1, 1997).
- “Availability of a Supplement to the Horse Protection Strategic Plan.” Notice and request for comments. 64 FR 3482 (January 22, 1999).

2000s

- None

2010s

- “Horse Protection Act; Petition for Amendments to Regulations.” Notice. 76 FR 20569 (April 13, 2011).
- “Horse Protection Act; Requiring Horse Industry Organizations to Assess and Enforce Minimum Penalties for Violations.” Proposed rule. 76 FR 30864 (May 27, 2011).
- “Horse Protection Act; Requiring Horse Industry Organizations to Assess and Enforce Minimum Penalties for Violations.” Final rule. 77 FR 33607 (June 7, 2012).
- “Horse Protection Act; Requiring Horse Industry Organizations to Assess and Enforce Minimum Penalties for Violations; Correction.” Correcting amendment. 78 FR 27001 (May 9, 2013).

- “Horse Protection Act; Requiring Horse Industry Organizations to Assess and Enforce Minimum Penalties for Violations; Correction.” Correcting amendment. 79 FR 3071 (January 17, 2014).
- “Horse Protection; Licensing of Designated Qualified Persons and Other Amendments.” Proposed rule. 81 FR 49112 (July 26, 2016).
- “Horse Protection; Licensing of Designated Qualified Persons and Other Amendments.” Proposed rule; extension of comment period and clarification. 81 FR 65307 (September 22, 2016).
- “Licensing of Designated Qualified Persons and Other Amendments.” Final Rule. (FR Document 2017-0085 filed for public inspection on January 19, 2017, then withdrawn on the next business day, on January 23, 2017).

2020s

- "Horse Protection; Licensing of Designated Qualified Persons and Other Amendments." Notice of proposed rulemaking and request for comments. 88 FR 47068 (July 21, 2023).
- “Horse Protection.” Proposed rule. 88 FR 56924 (August 21, 2023).
- "Horse Protection; Licensing of Designated Qualified Persons and Other Amendments; Withdrawal." Final rule; withdrawal. 88 FR 74336 (Oct. 31, 2023).
- “Horse Protection Amendments.” Final rule. 90 FR 39194 (May 8, 2024).
- “Horse Protection Amendments; Correction.” Final rule; correction. 89 FR 48131 (June 5, 2024).
- “Horse Protection Amendments; Postponement of Regulations.” Final rule; postponement of regulations. 90 FR 8253 (January 28, 2025).
- “Horse Protection Amendments; Further Delay of Effective Date, and Request for Comment.” Final rule; further delay of effective date and request for comment. 90 FR 13273 (March 21, 2025).
- “Horse Protection Amendments; Further Postponement of Regulations.” Final rule; further delay of effective date. 91 FR 3633 (January 28, 2026).

Administrative Decisions and Orders

The USDA Administrative Law Judges (ALJs) and the Judicial Officer (JO) handle adjudicatory proceedings for USDA regulatory matters, including those under the HPA. The ALJs issue initial decisions, while the Judicial Officer issues final decisions on behalf of the Secretary of Agriculture. JO decisions from 2018 to present are available on USDA's website, while decisions entered prior to 2017 are available on the National Agricultural Law Center website. Westlaw also maintains a collection of Agricultural Decisions on its website.

Additional Resources

USDA's National Agricultural Library provides literature, historical texts, and other references regarding the HPA to help the public and researchers understand the law.

Print