

American Horse Council News

AHC Comments on DOL Proposed New H-2A Worker Program

Introduction

On October 20, 2009, the American Horse Council submitted comments to the U.S. Department of Labor (DOL) concerning proposed regulations governing the H-2A temporary agriculture alien worker program, including those at horse farms. Those comments can be viewed by going to <http://image.exct.net/lib/feefd757d6307/m/1/AHC+comments+on+H-2A.pdf>

These proposed rules are very important to the horse industry because we use many alien workers on horse farms and ranches.

Background

On December 18, 2008, the Bush DOL adopted a final rule (2008 rule) outlining new procedures for the administration of the H-2A program that went into effect January 17, 2009.

On May 29, 2009, the Obama DOL suspended the Bush 2008 rule to reexamine it and reinstated the rules that had previously governed the H-2A program. This suspension was to last nine months after which the DOL would either propose new H-2A rules or reinstate the 2008 rule. However, on June 29, 2009, the U.S. District Court



for the Middle District of North Carolina issued an injunction barring the DOL from suspending the 2008 rule.

Because of that injunction the DOL decided to embark on a new rulemaking process and on September 4, 2009, issued a proposed H-2A rule (2009 proposed rule). The stated reason for this new rulemaking process is a belief by the Obama

DOL that the 2008 Rule "does not provide an adequate level of protection for either U.S. or Foreign workers."

The 2009 proposed rule largely rolls back the provisions of the 2008 rule intended to make the H-2A program more usable and efficient and adds new and burdensome requirements.

Comments

The proposed rule included many changes to the H-2A program. The AHC identified and commented on several provisions that it believes are of particular concern to the horse industry. The complete AHC comments are attached.

Status

The comment period for this proposed rule closed October 20, 2009. After comments on this proposed rule are examined, the DOL will issue a final rule.

Please contact the AHC with any questions.

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AHC Supports Bill to Complete America's Scenic Trails

Contact: American Horse Council
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September 21, 2009 - The American Horse Council is pleased to announce its support of the Complete America's Great Trails Act (H.R.1912). This bill was introduced by Representative Gerry E. Connolly (D-VA) and Representative Cynthia Lummis (R-WY) On April 9, 2009.

Hundreds of thousands of Americas enjoy recreational riding. Whether these recreational riders participate in short trail rides or much longer pack trips they often rely on public trails. It is important for the horse community to look for opportunities to increase the number of trail miles available to equestrians.

In 1968 the National Trail System Act was signed into law. This law allows Congress to designate a trail of particular natural beauty as a National Scenic Trail (NST). To date Congress has created eight NSTs, several of which are open to equestrians along all or part of their length.

Most sections of the eight NSTs are managed by the various federal land agencies and are open to the public. However, some sections cross private land to which access is limited or prohibited. Though the combined lengths of the NSTs are 14,600 miles, 3520 miles of these trails remain closed to the public.

This bill would create a new tax credit for private landowners who grant a conservation easement to a NST which crosses their property. It is hoped that this tax credit will encourage land owners to establish easements and complete the NSTs. Such conservation easements will ensure that many more miles of NSTs will be open to the public and users of NSTs will always have access to those portions of NSTs.

"More equestrians each year are riding NSTs like the Pacific Crest trail and the Continental Divide trail. NST are national treasures and they provide equestrians with a unique opportunity to experience the beauty of America just

as early explorers and settlers did," said AHC President Jay Hickey. "We are happy to support a bill to that will help complete existing NSTs and make establishing future trails much easier."

"I encourage recreational riders who are interested in promoting this bill or in other efforts to expand recreation opportunities for equestrians to sign up for the AHC's grassroots program, the Congressional Cavalry. The Congressional Cavalry is composed of individuals who will contact their federal elected officials when national issues that impact the horse community arise. It costs nothing and requires little time, but such impute from constituents is very important your Representatives, Senators and the legislative process," said AHC Legislative Director Ben Pendergrass.

To sign up for the Congressional Cavalry program (see page 16 for more information), please email Ben Pendergrass at Bpendergrass@horsecouncil.org

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Congressional Cavalry

The American Horse Council continues to expand its grassroots program, the Congressional Cavalry, but it needs you!

The horse community is very diverse and has agricultural, sporting, gaming, entertainment and recreation components. Some national issues affect the entire community and some just a particular segment or discipline. There is no doubt that taken as a whole the horse community is a much larger and more powerful constituency than any one of its individual parts. When the horse community speaks with one voice, its diversity is a strength not a weakness and it is a force to be reckoned with. All segments of the community enjoy the benefits this brings in federal legislation

and regulation that keep opportunities open to expand our businesses and enjoy our horses.

All individual horse owners, breeders, veterinarians, trainers, competitors, recreational riders, service providers, or anyone who desires to join the grassroots efforts of the horse community in Washington are encouraged to join the Congressional Cavalry Program.

The Congressional Cavalry is composed of individuals who will contact their federal elected officials when national issues that impact the horse community arise. It works simply. Cavalry members are placed on an email or fax list so they can be contacted and activated quickly. When action is needed the AHC provides

each cavalry member with whatever is necessary to productively lobby their elected official including background information, talking points, and sample letters. It is AHC's goal to eventually have members of the Congressional Cavalry Program from all segments of the horse industry and in every Congressional district. This will guarantee the horse community will be heard loud and clear in Washington.

If you care about the issues that impact the horse community join the Congressional Cavalry! Let's put more "Horse Power" in Congress!

To sign up for the Congressional Cavalry Program, email AHC@horsecouncil.org

Legislative Call to Action - Congressional Horse Caucus

The start of a new Congress (January, 2009 - present) offers the industry the opportunity to expand the Congressional Horse Caucus, which began in the 107th Congress (2001-2003).

We are asking all horse owners to write their Members of Congress and ask them to represent the interests of the horse industry.

The Congressional Horse Caucus is a bipartisan group chaired by Representatives Ben Chandler (D-KY) and Cliff Stearns (R-FL). It is open to any Member of the House of Representatives with an interest in horses.

The Horse Caucus is a bipartisan group formed to educate Members of Congress and their staffs about the importance of the horse industry in the economic, agricultural, sporting, gaming and recreational life of the nation. It is a real opportunity to have a group of Representatives with an expressed interest in the industry and a willingness to support the issues important to us.

There were more than 60 members of the Horse Caucus in the last Congress. Some of those individuals have been reelected, some elected to other offices and others have left the Congress. Now is the time to

contact the Members of the 111th Congress and ask them to join or re-join the Caucus.

Go to <http://horsecouncil.org/legislation/caucusinvite.php>, for a Microsoft Word draft letter that organizations and individuals can use to contact their Representatives and ask them to join or re-join the Caucus.

Please email the American Horse Council a copy of any letter you send to your Representative so we can follow-up on the invitation.

The email can be sent to bpendergrass@horsecouncil.org.

Equestrian Trail Closures or Access Issues on Federal Land

Equestrians are seeing an increasing loss of access through trail restrictions, trail closures, and use restrictions. Riders and stock users are being excluded from areas that they have historically traveled through and indeed first opened up. It is a loss of opportunities for riders, families, persons with disabilities, school groups and others. There seems to be a management environment less open to these traditional forms of use. Sometimes restrictions on equestrian use are done intentionally through management plans that reduce, restrict or eliminate horses, horse facilities, camping or grazing restrictions, cross-country travel restrictions or closures. Sometimes the

restrictions are indirect though a lack of trail maintenance, or over regulation, or lack of services to the public like facilities that provide saddle and pack animals or parking for horse trailers.

In order to better combat this disturbing trend the AHC is asking equestrians to document examples of trails or entire areas that have been closed to equestrians on federal land (National Forest Service, National Parks Service, and Bureau of Land Management, etc). The AHC is seeking all relevant information concerning these closures such as the reason for the loss of access, details concerning any public process that was involved and the history of equestrian use

on the closed trail or area.

The AHC is committed to preserving equine access to public lands. It is very important for these efforts that we have evidence that demonstrates the extent of the problem and the need for action on the part of Congress or the federal land agencies.

The AHC is also interested in examples of attempts to bar equestrian access that have been defeated.

Please take a few moments and use the electronic form, at http://www.surveymonkey.com/s.aspx?sm=C0gYMQHQm3cy4lxAkOitw_3d_3d, to report any access issue you have experienced.