UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION

COMMISSIONERS: Lina M. Khan, Chair
                             Noah Joshua Phillips
                             Rebecca Kelly Slaughter
                             Christine S. Wilson
                             Alvaro M. Bedoya

ORDER APPROVING THE REGISTRATION RULE PROPOSED BY THE
HORSERACING INTEGRITY AND SAFETY AUTHORITY

June 29, 2022

I. Decision of the Commission: HISA's Registration Rule Is Approved

The Horseracing Integrity and Safety Act of 2020, 15 U.S.C. §§ 3051–3060, recognizes a self-regulatory nonprofit organization, the Horseracing Integrity and Safety Authority, which is charged with developing proposed rules on a variety of subjects. *See id.* § 3053(a). Those proposed rules and later proposed rule modifications take effect only if approved by the Federal Trade Commission. *See id.* § 3053(b)(2). The Authority submitted and the Commission published for public comment in the Federal Register[1] the text and explanation of a proposed rule concerning Registration (the "Notice"). This process is required by the Act. *See id.* § 3052(f). "The Commission shall approve a proposed rule or modification if the Commission finds that the proposed rule or modification is consistent with" the Act and the Commission's procedural rule. *Id.* § 3053(c)(2).

II. <u>Discussion of Comments and the Commission's Findings</u>

Under the Act, the Commission must approve a proposed rule if it finds that the proposed rule is consistent with the Act and the Commission's procedural rule, 16 C.F.R. §§ 1.140–1.144. As a threshold matter, the Commission finds that the Authority's proposed Registration rule is consistent with the

As explained above and in the Notice, the Commission's statutory mandate to approve or

The Order turns now to the specific provisions of the Registration proposed rule. The Act's direction to the Authority was to develop a proposed rule that would provide for "Registration of covered persons with Authority." 15 U.S.C. § 3054(d). Section 3054(d) itself then contains four subsections. The first subsection provides that "a covered person shall register with the sub

is required or if a Covered Horse'