

*Where Do We Stand With Our Program  
For the Wild Horse and Wild Burro?*

# THE WILD HORSE ON THE NATIONAL RESOURCE LANDS

## **A Status Report**

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Last January, cattlemen in the Burns, Oregon, area got some bad news.

The news was that they wouldn't be allowed to graze as many cattle on public range lands as usual this Summer, and that the grazing period permitted could be shortened by as much as two months.

The reason? Because overgrazing by wild horse herds has reduced forage on both private and public range land to such a low level that there isn't enough food for either horses or cattle.

One longtime area cattleman who is said to face the loss of his livelihood filed a damage claim with the Interior Department's Bureau of Land Management, which administers both grazing and wild horse management programs, for damages he says the wild horses caused to his private land. His land is interspersed with public land.

The BLM district manager who announced the reduction in grazing allotments understood what local reaction would be. He added later that he still had to manage the land according to the law.

The law in this case is the Wild Free Roaming Horse and Burro

Act of 1971, which gave BLM and the U.S. Forest Service responsibility for management, protection and control of wild horses and burros on national resource lands and national forests.

While the Act was passed by Congress in response to public concern about the welfare of wild horses and burros, there is a curiously ironical twist to the unhappy Oregon story; some of the horses the law was designed to protect are themselves overnourished because of overgrazing. Said one Burns resident, "The horses are the real losers . . . there are already colts up there near starvation . . ."

The ranchers' grievance can be simply stated: In the competition between wild horses and cattle for scarce food on the seriously impacted range, the horses stay and the cattle have to go elsewhere. Most ranchers express a kindred feeling toward the wild horse. The issue is not the horse's "extinction," but a control over proliferating numbers.

BLM's dilemma is clearly perceived, though the solution to its administrative problems remains clouded by uncertainties.

Under the Wild Free Roaming Horse and Burro Act, "excess"





## ...at home or on the range

horses may be rounded up and placed in new "homes" with qualified private owners through maintenance agreements worded in such a way as to assure that the animals are properly cared for and are not exploited commercially.

In Oregon, as in other States with sizeable wild horse populations, such roundups have been conducted. But, say BLM officials, they have been expensive and less than effective in significantly reducing wild horse herds.

The present law, in fact, provides few options for removal and dispersal of large numbers of horses. The law does not permit transfer of title to horses or their sale to qualified owners. Nor does it allow use of helicopters to increase the effectiveness of roundup operations.

From BLM's viewpoint, few issues it has been called upon to deal with in its 30-year history have generated more controversy or stirred such deep emotions as has the Bureau's program to manage wild horses and burros. Interest in and affection for wild horses, it would seem, is universal. Over the years, BLM has received thousands upon thousands of letters from throughout the country on the subject of wild horses or "mustangs." Many of these have asked for assurance that the animals would continue to be allowed to run free. And

wild horses have been the focus of major film and television productions, even by the prestigious National Geographic Society.

Current inventories show that there are an estimated 50,000 wild horses and burros on public lands in the Western States. Of the wild horse total, about 25,000 are in Nevada and 7,000 in Oregon. These figures represent a sharp increase in horse populations since 1971, when the law to protect horses and burros was passed. What is more, the herds in some areas are growing at an estimated rate of about 20 percent a year.

These are the Government's own best estimates. In fairness, it should be noted that the figures have been disputed by some individuals and representatives of humane and horse protection groups.

But if the total population figures are indeed fairly accurate, as BLM officials believe they are, and, if the high growth rate continues in the future, the implications for all concerned — public land managers responsible for the welfare of the horses and the upgrading of range conditions, humane groups, the livestock industry, and wildlife and conservation groups, among others — are considerable.

Such a continuing high herd growth rate would mean that about 8,000 to 10,000 horses will

have to be removed from the range each year — merely to maintain herd sizes, much less reduce the numbers of animals to manageable levels.

Elsewhere on the National Resource Lands, the problem of proliferating wild horses is equally serious.

In Nevada's Stone Cabin Valley area, BLM officials report that the range has been overgrazed by a combination of cattle, wildlife and nearly 1,000 wild horses. Area ranchers agreed to voluntary reductions in livestock use, and 230 wild horses were humanely removed from the declining range for eventual "adoption" place-



ment with qualified private owners.

An executive of the Humane Society of the United States, after making an aerial inspection of Stone Cabin Valley before a roundup began last July, said BLM's claim that the valley was overpopulated with wild horses was "totally inaccurate," and, charged that the Bureau "has become a slave to cattle raisers' vested interests."

Such a statement candidly expresses a commonly held viewpoint of certain horse protection groups. Yet, in Nevada the problem of range deterioration and a proposed horse control program brought a different public re-

action. Prominent national and state horse protective associations, wildlife and conservation groups supported the need for measures to protect the vegetative resources. Several of the organizations participated in and monitored the horse roundup to assure humane treatment during the gathering.

In other Western States, wildlife biologists and conservationists have warned that growing numbers of wild horses and burros pose a serious threat to deer, bighorn sheep and antelope populations because of intensified competition for range land forage.

To add another dimension to the dilemma, the State of New Mexico has challenged the constitutionality of the Wild Horse and Burro Act, claiming that it is the State's right to manage horses and burros.

On June 17, 1976, the U.S. Supreme Court ruled that the Wild Horse Law is constitutional. As a result, the Bureau of Land Management will continue carrying out the intent of the law which calls for protection, management, and control of wild horses and burros on the National Resource Lands. These three objectives are the cardinal parts of the Bureau's wild horse and burro program.

The greatest threat to the wild horse in modern times has been

the commercial mustanger under contract to deliver horses to processing plants. Such operations took a heavy toll of the wild horse population.

Those commercial roundups were facilitated through the use of aircraft and other motorized vehicles to locate the animals and to herd them into corrals where they were loaded for shipment.

Congress outlawed the use of aircraft and motorized vehicles in the roundup of wild horses and burros when it passed the "Wild Horse Annie" Act in 1959. The Wild Horse and Burro Act of 1971 went further when it prohibited all commercial traffic in wild horses in any form or fashion. The 1971 Act also made the Bureau of Land Management responsible for the enforcement of violations of the Federal laws pertaining to wild horses on National Resource Lands.

The Bureau started to recruit an enforcement staff in 1974 and now has enforcement personnel located in Washington, D.C.; Billings, Montana; Boise, Idaho; Salt Lake City, Utah; Reno, Nevada; and Phoenix, Arizona. In keeping with their several responsibilities, these men are available to investigate all reported violations of the Wild Horse Act and subsequently empowered to make arrests and prosecute those responsible for the violations.

BLM has set aside three areas where the wild horse is the dominant user of National Resource Lands. Domestic livestock grazing is not authorized in these three areas so that wild horses and wildlife have the benefit of all the forage produced within the area.

In other areas where wild horses share the range with domestic animals, BLM is allotting forage to meet the needs of the wild horse.

BLM biologists holding wildlife and range management degrees are making studies of the life history of the wild horse and of the social relationships that exist within the wild horse herd. Hopefully the information gathered from these studies will give us further clues for developing a positive program of management of wild horses just as similar studies have contributed to the management of other wild animals.

The Wild Horse Act provides three legal ways to control wild horse populations.

1. Excess horses may be relocated on other areas of the public land,
2. They may be removed from the range and placed in the care of qualified individuals or organizations willing to provide the animal a home, and finally
3. Excess animals may be destroyed in a humane manner.

The first of these options is limited, since the law also limits the areas where horses may be released to those having a wild horse population prior to 1971.

All such areas already have increasing herds of wild horses and such an alternative is not feasible.

The third option provides the ultimate solution. However the Bureau seeks to avoid this kind of control whenever possible.

For the present, the Bureau is attempting to control the population of wild horses by placing them in "foster homes." Between 600 and 700 animals have been removed from over-populated areas of the public range and placed in the care of private individuals and organizations from Texas to Montana and from California to New York.

Although the foster home concept now seems to be the most desirable method to control excess numbers, it also has limitations. Under the Wild Horse Act, horses placed in the care of private individuals remain in Federal ownership. Since the person receiving the horse does not get full control or title, he cannot sell the horse or otherwise dispose of it without the consent of the Bureau. This limited control and restriction causes many persons, otherwise willing to care for a wild horse, to refuse to participate in the program. Regardless, the Bureau still has the responsibility to monitor the well-being of "adopted" horses now widely scattered across the country.

The foster home concept is also an expensive means of controlling the wild horse population. It may cost in excess of \$300 to catch a wild horse and place him in the care of a private individual. This includes the capture and the feeding and care of the animal until a private home can be found. If there are a large number of horses involved, it can take from 1 to 3 weeks before the "foster owners" can arrive from the various parts of the United States to receive custody of their horses. Frequently persons who ask to be given custody of a wild horse change their minds at the last minute and refuse to accept the responsibility for an animal.

In the midst of the controversy that has raged around the management of the wild horse, the Bureau of Land Management seeks a course between the extremes. It does not want to see the wild horse disappear. It believes that, in proper perspective, the wild horse historically and ecologically has a place on the National Resource Lands.

In order to provide public input into the wild horse program, Congress provided for an advisory board to consult with the Secretaries of the Interior and Agriculture on matters pertaining to the management of wild horses as a part of the 1971 law. Shortly after the National Board was organized, it was instrumental in developing regulations to imple-

ment the Wild Horse Act. In July 1973, the Board passed a resolution calling for a modification of the present law, in order to make management less difficult and less expensive. If adopted by Congress the suggested amendments would:

Authorize the Secretaries to sell or donate excess animals to private individuals or organizations without restrictions on written assurance that such animals would receive humane treatment, and to use aircraft in the roundup and inventory of wild horses, provided such use was supervised by a duly authorized employee of the Department.

A bill to this effect has been introduced into Congress by Virginia Congressman G. William Whitehurst and is pending at this time.

The final chapter in the story of the wild horse on the public range has not yet been written, and many questions are still unanswered. There are also certain realities that must be faced. Undisputably the wild horse is there, and his numbers are growing. Undisputably the horse stands high in the public's favor. As an historic symbol of the West, it has captured the imagination of millions of Americans.

Yet there are other facts equally unescapable. The wild horse is a fierce competitor. Like all creatures, it has the reproductive capacity to increase its numbers to a point where it will become not only an economic threat to man and an ecological threat to the range and other animals, but also a threat to its own existence. Therefore, population control is vital to any management program.

BLM believes that it is possible to have an ecological balance between wild horses, wildlife, livestock and other resource values and that sound management is the answer. The Bureau is dedicated to such a program.