

Wild Free-Roaming Horses and Burros Act

16 U.S.C. §§1331-1340

“**Wild and free-roaming horses and burros**” are all **unbranded and unclaimed horses and burros** on lands administered by the Secretary of the Interior through the Bureau of Land Management or by the Secretary of Agriculture through the U.S. Forest Service. [16 U.S.C. §1332(b), (e)]

The Act directs the Secretaries of Agriculture and the Interior to manage wild free-roaming horses and burros to achieve and maintain a **thriving natural ecological balance** on public lands. The Secretaries may designate and maintain specific ranges on public lands as **sanctuaries** for the protection and preservation of such animals. [16 U.S.C. §1333(a)] The Secretaries may not **relocate** wild free-roaming horses and burros to public lands where the animals do not currently exist. [16 U.S.C. §1339]

All management activities on public lands shall be carried out in **consultation** with the **wildlife agency of the state** where the lands are located. [16 U.S.C. §1333(a)]

Any adjustments in **forage allocations** shall take into consideration the needs of other wildlife species that inhabit the lands. [16 U.S.C. §1333(a)]

When the Secretaries determine that a given area of the public lands has an **overpopulation** of horses and burros and that action is necessary to remove excess animals, they shall immediately remove excess animals from the range so as to achieve appropriate management levels. To achieve such levels, the Secretaries shall order old, sick, or lame animals to be destroyed in the most humane manner possible; shall cause additional excess wild free-roaming horses and burros to be humanely captured and removed for private maintenance and care; and shall cause excess wild free-roaming horses and burros not adopted to be destroyed in the most humane and cost-efficient manner possible. [16 U.S.C. §1333(b)(2)]

Any person who willfully removes wild free-roaming horses or burros from public lands without the proper authority, converts such animals to private use without such authority, maliciously causes their death or harassment, sells them, or willfully violates any regulation issued under the Act shall be subject to a **fine** of not more than \$2,000, or **imprisonment** of not more than one year, or both. [16 U.S.C. §1338]