

AMENDMENTS

1980—Pub. L. 96-182 limited restrictions on Secretary's authority to enter into agreements in excess of \$10,000,000 to each fiscal year through fiscal year ending Sept. 30, 1980, and inserted restrictions relating to agreements in excess of \$30,000,000 for each fiscal year after fiscal year ending Sept. 30, 1980, and that not more than 15 percent of the funds authorized to be appropriated in any fiscal year after fiscal year ending Sept. 30, 1980, may be used for agreements entered into with owners or operators in any one State.

§ 1311. Rules and regulations

The Secretary shall prescribe such regulations as he determines necessary and desirable to carry out the provisions of this chapter.

(Pub. L. 91-559, §12, Dec. 19, 1970, 84 Stat. 1471.)

CHAPTER 30—WILD HORSES AND BURROS: PROTECTION, MANAGEMENT, AND CONTROL

Sec.	
1331.	Congressional findings and declaration of policy.
1332.	Definitions.
1333.	Powers and duties of Secretary.
1334.	Private maintenance; numerical approximation; strays on private lands: removal; destruction by agents.
1335.	Recovery rights.
1336.	Cooperative agreements; regulations.
1337.	Joint advisory board; appointment; membership; functions; qualifications; reimbursement limitation.
1338.	Criminal provisions.
1338a.	Transportation of captured animals; procedures and prohibitions applicable.
1339.	Limitation of authority.
1340.	Joint report to Congress; consultation and coordination of implementation, enforcement, and departmental activities; studies.

§ 1331. Congressional findings and declaration of policy

Congress finds and declares that wild free-roaming horses and burros are living symbols of the historic and pioneer spirit of the West; that they contribute to the diversity of life forms within the Nation and enrich the lives of the American people; and that these horses and burros are fast disappearing from the American scene. It is the policy of Congress that wild free-roaming horses and burros shall be protected from capture, branding, harassment, or death; and to accomplish this they are to be considered in the area where presently found, as an integral part of the natural system of the public lands.

(Pub. L. 92-195, §1, Dec. 15, 1971, 85 Stat. 649.)

SHORT TITLE

Pub. L. 92-195, Dec. 15, 1971, 85 Stat. 649, which enacted this chapter, is popularly known as the "Wild Free-Roaming Horses and Burros Act".

§ 1332. Definitions

As used in this chapter—

(a) "Secretary" means the Secretary of the Interior when used in connection with public lands administered by him through the Bureau of Land Management and the Secretary of Agriculture in connection with public lands administered by him through the Forest Service;

(b) "wild free-roaming horses and burros" means all unbranded and unclaimed horses

and burros on public lands of the United States;

(c) "range" means the amount of land necessary to sustain an existing herd or herds of wild free-roaming horses and burros, which does not exceed their known territorial limits, and which is devoted principally but not necessarily exclusively to their welfare in keeping with the multiple-use management concept for the public lands;

(d) "herd" means one or more stallions and his mares; and¹

(e) "public lands" means any lands administered by the Secretary of the Interior through the Bureau of Land Management or by the Secretary of Agriculture through the Forest Service.²

(f) "excess animals" means wild free-roaming horses or burros (1) which have been removed from an area by the Secretary pursuant to applicable law or, (2) which must be removed from an area in order to preserve and maintain a thriving natural ecological balance and multiple-use relationship in that area.

(Pub. L. 92-195, §2, Dec. 15, 1971, 85 Stat. 649; Pub. L. 95-514, §14(b), Oct. 25, 1978, 92 Stat. 1810.)

AMENDMENTS

1978—Subsec. (f). Pub. L. 95-514 added subsec. (f).

§ 1333. Powers and duties of Secretary**(a) Jurisdiction; management; ranges; ecological balance objectives; scientific recommendations; forage allocation adjustments**

All wild free-roaming horses and burros are hereby declared to be under the jurisdiction of the Secretary for the purpose of management and protection in accordance with the provisions of this chapter. The Secretary is authorized and directed to protect and manage wild free-roaming horses and burros as components of the public lands, and he may designate and maintain specific ranges on public lands as sanctuaries for their protection and preservation, where the Secretary after consultation with the wildlife agency of the State wherein any such range is proposed and with the Advisory Board established in section 1337 of this title deems such action desirable. The Secretary shall manage wild free-roaming horses and burros in a manner that is designed to achieve and maintain a thriving natural ecological balance on the public lands. He shall consider the recommendations of qualified scientists in the field of biology and ecology, some of whom shall be independent of both Federal and State agencies and may include members of the Advisory Board established in section 1337 of this title. All management activities shall be at the minimal feasible level and shall be carried out in consultation with the wildlife agency of the State wherein such lands are located in order to protect the natural ecological balance of all wildlife species which inhabit such lands, particularly endangered wildlife species. Any adjustments in forage allocations on any such lands shall take into consideration the needs of other wildlife species which inhabit such lands.

¹ So in original. The word "and" probably should not appear.

² So in original. The period probably should be "; and".