

THE TEXT OF RIDER No. 142

The following text represents a reproduction of the rider that was slipped into the Senate Appropriations Bill by Senator Conrad Burns (R-MT).

SEC 142 SALE OF WILD FREE-ROAMING HORSES AND BURROS.

(a) In General. - Section 3 of Public Law 92-195 (16 U.S.C. 1333) is amended -

(1) in subsection (d)(5), by striking "this section" and all that follows through the period at the end and inserting "this section."; and

(2) by adding at the end the following:

"(e) Sale of Excess Animals. -

"(1) **In General.** - Any excess animal or the remains of any excess animal shall be sold if -

"(A) the excess animal is more than ten years of age; or

"(B) the excess animal has been offered unsuccessfully for adoption at least three times.

"(2) **Method of Sale.** - An excess animal that meets either of the criteria in paragraph (1) shall be made available for sale without limitation, including through auction to the highest bidder, at local sale yards or other convenient livestock selling facilities, until such time as-

"(A) all excess animals offered for sale are sold; or

"(B) the appropriate management level, as determined by the Secretary, is attained in all areas occupied by wild free-roaming horses and burros.

"(3) **Disposition of Funds** - Funds generated from the sale of excess animals under this subsection shall be -

"(A) credited as an offsetting collection to the Management of Lands and Resources appropriation for the Bureau of Land Management; and

"(B) used for the costs relating to the adoption of wild free-roaming horses and burros, including the costs of marketing such adoption.

"(4) **Effect of Sale.** - Any excess animal sold under this provision shall no longer be considered to be a free-roaming horse or burro for purposes of this Act."

(b) **Criminal Provisions.** Section 8(a)(4) of Public Law 92-195 (16 USC 1338(a)(4)) is amended by inserting "except as provided in section 3(e)," before "processes."

WHAT THE RIDER SAYS

1. A large number of protected wild horses are no longer protected by the Wild Free-Roaming Horses and Burros Act.
2. BLM must dispose of unadopted older horses and those that have not been adopted in three attempts shall be made available for sale without limitation. (That means public auctions where the only sector with sufficient deep pockets to absorb this many untrained animals are the "killer buyers.")
3. The Secretary of Interior shall now determine the appropriate levels of horses and burros on public lands, in place of established scientific calculations.
4. Although claims have been made by certain politicians that the funds from the sale of "excess" horses and burros will be put back into the adoption program, section (3)(A) clearly identifies the funds as an **offsetting appropriation**. That means that for every dollar brought into the adoption program by these sales, a dollar is taken out the back door - a typical smoke and mirror operation.
5. Animals sold under the Burns rider are no longer considered to be free-roaming.
6. Criminal provisions addressing the abuse or misuse of all former wild free-roaming horses and burros have been rescinded with respect to the horses covered under Rider #142.