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BUREAU OF LAND MANAGEMENT

MANUAL TRANSMITTAL SHEET

Subject:

H-4750-2 ADOPTION OF WILD HORSES AND BURROS

1. Explanation of Material Transmitted: This release supplements BLM Manual Section 4750 by providing detailed guidance on policies, standards, and procedures used in the wild horses and burros adoption program.
2. Reports Required: None.
3. Material Superseded: The Handbook pages superseded are listed under "REMOVE" below.
4. Filing Instructions: File as directed below, immediately following the Manual, Section.

REMOVE:

All of H-4750-2 (Rel. 4-99, 12/13/89)
(Total: 62 Sheets)

INSERT:

H-4750-2
(Total: 2-9 Sheets)

/s/ Maitland Sharpe
Assisant Director, Renewable Resources
and Planning

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Glossary of TermsIllustrations

1. Application for Adoption of Wild Horse(s) or Burro(s) (Form 4710-10)
2. The Wild Horse and Burro Body Fat Work sheet (Form 4710-19a)
3. Wild Horse and Burro Health and Identification Report (Form 4710-17)
4. Sample Adoption Screening Checklist
5. Sample Facility Certification for 5 or More Animals
6. Sample Decision Letter - Adequacy of Adoption Application
7. Sample Decision Letter - Disapproval of Adoption Application
8. Information on Taking Appeals to the Board of Land Appeals (Form 1842-1)
9. Private Maintenance and Care Agreement (Form 4710-9)
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Appendix

1. Adoption Publicity Planning

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Chapter I - Introduction

CHAPTER I - INTRODUCTION

Placement of excess wild equines under private humane care is the goal of the BLM adoption program. The BLM employees who are involved in this program include wild horse and burro specialists, clerks, public relations specialists, wranglers, and law enforcement specialists. The group of BLM employees involved in adoptions is unique to each office.

A. Purpose. This handbook provides detailed information on the policies, standards, and procedures used in the Adopt-A-Horse (or Burro) Program. Through the adoption program, the BLM places excess wild horses and burros in private care with qualified individuals.

B. Organization. This handbook is divided into two major sections:

1. Chapter II provides information about adoption qualifications, requirements, and procedures.

2. Chapter III describes how to plan and conduct temporary adoption events.

NOTE: This handbook sets standard procedures for all wild horse and burro adoptions. State policies for temporary adoptions may differ by administrative jurisdiction. As an example, some States use only BLM employees while other States use contractors for handling the animals at temporary adoption sites.

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Chapter II - General Adoption Requirements and Procedures

CHAPTER II - GENERAL ADOPTION REQUIREMENTS AND PROCEDURES

A. Adoption Application.

1. Adoption Information Packet. The BLM provides an adoption application packet with information for prospective adopters concerning eligibility requirements, application, procedures, and costs. Some states include a questionnaire clarifying adoption requirements. The questionnaire is another reminder to the potential adopter of the requirements and regulations, as well as the adopter's responsibilities when they adopt a wild horse or burro. On the reverse side is a place for a map giving directions to the location of the adopted animals and to sketch a drawing of how the facility is set up to house the animal(s). This information is useful when locating untitled animals for compliance inspections. Other information that can be included in the adoption packets are the current adoption schedule and a fact sheet.

a. Contents. The packet contains a minimum of two items:

(1) So You'd Like to Adopt A Wild Horse . . . Or Burro? This is an informational pamphlet in an easy-to-understand question and answer format.

(2) BLM Form 4710-10, Application for Adoption of Wild Horse(s) or Burro(s) (see Illustration 1) is distributed with the pamphlet.

b. Availability. The BLM offices can order the adoption pamphlet (P-144) from the Printed Materials Distribution Section in the BLM National Business Center (NBC) in Denver. The public can request copies of the adoption packet from any BLM office. In addition, individual BLM Field Offices make copies available at special events, such as temporary adoptions and State and county fairs. For potential adopters who may want more information, the pamphlet provides a list of BLM offices and the areas they serve.

c. Revisions. The adoption pamphlet is updated periodically by the National Wild Horse and Burro Team in Reno, Nevada in cooperation with the Washington Office. Field Office suggestions for changes in the pamphlet should be sent to the National Team. The application form is also modified as needed, and recommended changes to the form can be sent to the National Team.

2. Adoption Qualifications. To adopt a wild horse or burro, an individual must:

- a. Be at least 18 years of age.
- b. Maintain the animal in the United States or its territories until title is granted.
- c. Have no criminal convictions for violations of 43 CFR 4700 regulations.
- d. Have no criminal convictions (Federal, State, or local) for inhumane treatment of animals.
- e. Have the ability to provide adequate facilities and equipment to properly transport and humanely care for a wild horse or burro. (See paragraphs A.5, A.6, and A.7 below.)

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f. Have adequate feed and water to meet the nutritional requirements of the animal. (See paragraph A.8 below.)

g. Have adopted no more than four wild horses or burros within 12 months, unless approved by the authorized officer. If approval of the application will result in adoption or maintenance of more than four untitled wild horses and burros by the applicant, this approval must be in writing by the authorized officer. (See paragraph B.4, Special Adoption Screening Requirements.)

h. Have not expressed an intent to the authorized officer, either orally or in writing, to use the animal for commercial purposes after the passage of title. (Commercial purposes include using a wild horse or burro because of its characteristics of wildness for direct or indirect financial gain (e.g., slaughtering the animal, selling it for slaughter, or using a wild horse for bucking stock).)

3. Adoptions to Other Federal Agencies, States, Counties and Cities. Other federal agencies, states, counties and cities are eligible for adoption of a wild horse or burro. In these cases, the application for adoption and the Private Maintenance and Care Agreement will be in the name of the agency, state, county or city, but must be signed by an authorized individual representing the agency, state, county or city. This authorized representative assumes the responsibility for the animal's humane treatment and care. After the required year of humane care and treatment, title may be transferred to the adopter as in all other adoptions.

4. Adoptions to Groups or Corporations. Organized groups and corporations may adopt wild horses and burros, and will be considered as individuals for purposes of application and responsibility for the adopted animals. However, the application for adoption and the Private Maintenance and Care Agreement must be signed by a person with the authority to represent the group or corporation. The authorized officer must ensure that this authority exists by requiring copies of partnership agreements, articles of incorporation, or other documents reflecting delegation of such authority to the person signing the adoption documents.

5. Facilities Necessary to Maintain Adopted Wild Horses or Burros. At the time the adoption is approved, the adopter must have adequate corrals and structures to maintain adopted wild horses or burros humanely.

a. Shelter. Adopted horses or burros do not require elaborate shelter, but they must have protection from inclement weather in areas having sustained temperature extremes, heavy or frequently occurring precipitation, or frequent high winds and dust problems. In those areas, an appropriate shelter is mandatory. Animals maintained where extreme heat is a factor are required to have shaded areas. Adopters should be told that wild burros are more sensitive to extreme cold than are wild horses.

(1) Natural Shelter may be provided by the topography (e.g., canyons or hills) or other natural features, such as trees.

(2) Manmade Shelter must be provided where natural shelter is lacking or inadequate. The minimum acceptable shelter is a windbreak or a three-sided structure with a shed-type roof and the open side facing away from the prevailing wind (i.e., a run-in shed). The shelter must be free from protrusions, such as projecting bolts, hinges, and nails, and objects that would pose a hazard to the animal. In some areas, a completely enclosed barn is necessary.

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b. Space. Minimum space requirements are as follows:

(1) Corral. A minimum of 400 square feet must be provided for each animal maintained in a corral.

(2) Stall. For ungentle animals and gentled animals that are not exercised daily, a box stall must have an attached corral with a properly fenced area of at least 400 square feet to provide for exercise.

For a gentled animal that is exercised daily, a box stall with an area of at least 144 square feet is acceptable if it is well drained, well ventilated, and cleaned regularly.

c. Fencing.

(1) Corral fencing must be constructed of rounded pipes, poles, wooden planks, masonry, or similar materials, and be free of protrusions that would pose a hazard to the animal. Small-mesh woven wire fencing with openings no larger than 2" by 4" is acceptable. Woven wire corrals shall, however, have a minimum of one sight board at the top. Additional boards including one at eye level are desirable. Under no circumstances are electric fences, large-mesh woven wire, or barbed wire corral enclosures acceptable during the period before the animal has been gentled. Requirements vary as shown below:

(a) Minimum Height of Corral Fencing.

Un-gentled wild horses	6 ft.
Un-gentled wild burros	4½ ft.
Un-gentled horses up to 18 months old	5 ft.

(2) Pasture fencing. Adopted horses and burros should not be released into pastures until they are tamed sufficiently so they will not attempt to escape when approached by individuals or other animals and can be handled for necessary care. Any fence type and height that meets State or local requirements for domestic horses or burros may be used for gentled animals.

6. Sanitation. Stalls must be well drained, well ventilated, and cleaned regularly to prevent health or safety problems. Corrals must be well drained and cleaned regularly.

7. Transportation. Adopters must provide their own means of transporting adopted animals from the point of adoption to their facilities. The authorized officer must inspect all hauling equipment to assure that it is in good working condition, clean, solidly constructed, and free from protrusions that could injure animals. All vehicles must be covered, except for stock trucks with sides at least 6 feet high. Covered vehicles must have adequate ventilation and ample headroom to allow animals to assume normal standing posture. For safety reasons, drop-ramp tailgates are not allowed except under special circumstances. The authorized officer may allow loading a wild horse or burro into a vehicle with a drop-ramp tailgate when it can be done safely (e.g., loading halter-trained horses).

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a. Trailers Types which are satisfactory for transporting adopted wild horses and burros are listed below in order of preference.

(1) Stock Trailers. These are the most desirable trailers to haul wild horses and burros because they are the least confining type of transportation, minimizing the risk of injury to the animals.

(2) Horse Trailers. The types of horse trailers listed below are acceptable for hauling wild horses and burros, subject to the stated limitations.

(a) Standard Two-Horse Trailer. For the animal's safety, remove center partitions and enclose the area above the tailgate to prevent the animal from jumping over the gate. It is recommended that untrained horses not be tied in the trailer.

(b) One-Horse Trailer. This type of trailer is only acceptable for one burro or one young horse less than 6 months old.

(c) Drop Ramp Trailer. Drop-ramp trailers are generally unacceptable but may be used at the discretion of the authorized officer based upon safety considerations.

b. Trucks.

(1) Stock trucks with up to a 2 ton hauling capacity, with wooden or steel racks and covered top, are a satisfactory means of transportation for wild horses and burros when a safe loading ramp with sides is available to load and unload the animals. Solid racks, which limit the animal's ability to see out, are preferred.

(2) Pickup trucks with covered stock racks are only acceptable, with the authorized officer's approval, for burros and horses up to one year old. Some BLM adoption facilities will not accept this equipment for transporting wild horses or burros.

8. Nutrition. Adopters must provide the nutrients necessary to maintain adopted animals in at least a moderate condition as defined using the Wild Horse and Burro Body Fat Work sheet Form 4710-19a. (See Illustration 2.)

a. Adopters must provide free access to between 12 to 16 gallons of fresh, clean water daily per horse and 6 to 8 gallons daily per burro, depending on weather conditions. The water should be supplied in a container large enough to require filling no more than twice daily and pose no hazard to the animals (e.g., no sharp corners). During freezing weather, the adopter must make provisions to assure water is available at least twice a day.

b. Salt and mineral supplements shall be made available to all adopted animals.

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c. Nutritional requirements vary with an animal's age, physiological condition, space, weather conditions, and level of work. A ration of about 2.5 pounds of good quality hay with a 14 percent protein content per 100 pounds of body weight is required daily by an idle adult horse or burro. Supplemental nutrients must be provided for young, developing animals, pregnant or lactating animals, active animals, and during extremely cold weather. Moldy, dusty, or spoiled feed is not acceptable. (See *Nutrient Requirements of Horses, 5th edition*, published by the National Academy of Sciences in 1989. Each State Office wild horse and burro specialist has a copy. To order additional copies, call the National Academy Press at 202-334-2000.)

9. Health Care. All wild horses and burros placed in the adoption program receive a series of vaccinations to reduce their susceptibility to disease. In addition, they have been dewormed at least once. The Wild Horse and Burro Health and Identification Report, BLM Form 4710-17 (see Illustration 3), contains a list of vaccinations as well as other health treatments provided by the Bureau for each animal. Humane care of adopted wild horses and burros requires annual booster shots and regular deworming. The frequency of vaccinations for certain diseases may vary. Suggested intervals for different vaccinations are listed below; however, this schedule may vary depending upon locale, circumstances, or advice of a licensed veterinarian.

- a. Influenza. Vaccinate every 90 days.
- b. Tetanus. Vaccinate annually.
- c. Eastern and Western Encephalomyelitis. Vaccinate annually.
- d. Rhino-pneumonitis (killed virus). Vaccinate every 90 days.
- e. Distemper (Strangles). Vaccinate annually.

Adopters must make arrangements for regular hoof care and, where necessary, consultation with individuals knowledgeable about horse care.

10. Halters and Lead Ropes. Properly fitting halters and lead ropes must be provided by adopters for loading at the adoption site. They are also necessary for use during the gentling process. Halters of nylon webbing are best. For leading, cotton ropes at least 12 feet long and 3/4 to 1 inch in diameter are recommended. Synthetic leads are also acceptable if they are of equivalent strength to 1-inch cotton rope. Halter snaps and buckles should be sufficiently strong to restrain a wild horse or burro. If requested by the adopter, halter and lead ropes do not need to be put on their adopted animal.

11. Gentling Adopted Animals. In addition to the requirements listed above, applicants must understand that they are expected to gently handle the adopted animal or provide some other humane method for capturing and restraining the animal to ensure that necessary veterinary and hoof care can be provided. If wild horses and/or burros are adopted with the intent of maintaining them in a natural free-roaming state in large pastures, such as burros used for predator control, the BLM still requires the adopter to provide a humane method to secure and contain the animal(s) to ensure they receive the necessary veterinarian care and maintenance.

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B. Determination of Eligibility to Adopt. The authorized officer determines whether the applicant is qualified, using information from three sources: the completed adoption application, BLM adoption records (including the WH&BIS), and an interview. The authorized officer may also require a site inspection to determine eligibility.

1. Review of Applications. Applications may be accepted on-site at BLM corrals, holding facilities, contract adoption centers, temporary adoption events, any BLM office, or through the mail. Applications submitted by mail should be reviewed within 10 working days after receipt by the Authorized Officer. Walk-up adopters may be screened and approved on-site, providing an individual is available with authority to process and approve adoption applications.

2. BLM Adoption Records. Where possible, before approving an adoption application, the Authorized Officer reviews adoption records and queries the WH&BIS to determine the applicant's adoption history, if any, including the number of untitled animals in the applicant's care. For use in screening prospective adopters, the Authorized Officer will maintain a current list of adopters on whom a "hold" has been placed. This list is generated by querying the WH&BIS for adopters with an entry in the E87 (Hold Date) field. Any negative or suspect information (e.g., repossession of previously adopted animals by BLM) must be investigated before action is taken on the application.

3. Interview. The Authorized Officer talks with the adopter either in person or by telephone to discuss what is involved in adopting a wild horse or burro. The purpose of the interview is to be sure that the adopter understands the obligations and prohibited acts and that the adopter is knowledgeable about horses or burros or has access to assistance from a knowledgeable individual. An example of an adoption screening checklist is shown in Illustration 4.

4. Special Adoption Screening Requirements. Special requirements apply when five or more wild horses or burros are being adopted by one individual or maintained in one location. By law, an individual can adopt no more than four wild horses or burros per year "unless the Secretary determines in writing that such individual is capable of humanely caring for more than four animals, including the transportation of such animals by the adopting party . . ." In addition, court orders have imposed special requirements pertaining to the adoption of five or more wild horses or burros or the maintenance of five or more untitled wild horses or burros in one place. Therefore, when an applicant requests five or more wild horses or burros or when five or more untitled adopted animals will be maintained at a single location, the following special screening requirements apply:

a. Facility Inspection (5-24 Wild Horses/Burros). Before the application can be approved, the Authorized Officer must have written verification that the facilities for maintaining the adopted animals satisfy BLM requirements, based on a signed inspection report from a BLM official or a veterinarian, local humane official, or cooperative extension agent. The signed certification (see Illustration 5) must include the certifying individual's business address and telephone number. This process requires that:

(1) The verification shall provide a description of the facilities, including corral size, pasture size, and shelter, barn, or stall dimensions.

(2) The verification shall note any discrepancies between the facilities inspected and representations made in the application form.

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(3) If non-BLM inspectors, such as veterinarians are used, the following must be provided:

- (a) A copy of the applicant's adoption application.
- (b) A copy of all current BLM standards for feed, water, shelter, space, and fencing for wild horses and burros.
- (c) A copy of the format for certifying the adequacy of a facility for 5 or more animals. (See Illustration 5.)

b. Facility Inspection (More Than 25 Wild Horses/Burros). When an applicant requests 25 or more wild horses or burros or when 25 or more untitled adopted animals will be maintained at any single location, the facility inspection must be carried out by a BLM official. (Also see BLM Manual 4760.1 for compliance requirements.) The BLM official shall prepare an accurate map showing the location and exterior boundary of all facilities to be used for the animals. Minimum scale should be 1/2 inch to the mile.

c. Employment Statement. Applicants for five or more wild horses or burros or prospective custodians of five or more wild horses or burros in a single location must sign a statement that they are either:

- (1) Not employed by or engaged in a livestock auction, rodeo, or slaughterhouse.
- or
- (2) Employed by or engaged in a livestock auction, rodeo, or slaughterhouse, in which case they must state in writing the reasons for adopting the animals.

5. BLM Employees. Every effort should be taken to make sure BLM employees, their immediate family members, and WH&B Program contractors do not receive preferential treatment and to assure the public that preventative steps are being taken. The following procedures will be adhered to when a BLM employee, their immediate family members, and WH&B Program contractors adopt a wild horse or burro.

- a. All regulations germane to adoption will be applied equally to all adopters. However, no employees or their immediate family members or contractors will be allowed to adopt a wild horse or burro at a reduced fee, or an orphan foal at no fee. Orphan foals can be adopted at full fee.
- b. All adoption procedures will be clearly laid out well in advance of the adoption event and will be widely disseminated to the public.
- c. Bureau employees, their immediate family members, and WH&B Program contractors must comply with all the adoption procedures established by the office conducting the adoption.
- d. Bureau employees, their immediate family members, and WH&B Program contractors will adopt on their own time and not as a working employee at an event.

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e. Bureau employees, their immediate family members, and WH&B Program contractors will submit an application to the office of jurisdiction and have the application approved by the Authorized Officer. If the Bureau employee is the Authorized Officer for that office, that application must be approved by their supervisor.

f. As part of the approval process, managers will counsel employees and contractors that apply to adopt a wild horse or burro on the applicable ethics and conduct matters and assure that no real or apparent use of public office for private gain has occurred.

g. Bureau employees, their immediate family members, and WH&B Program contractors are not allowed to adopt repossessed or returned wild horses or burros except through adoption events open to the general public.

C. Approval or Disapproval of the Application. The Authorized Officer must complete the 'For BLM Use Only' section of Form 4710-10 (see Illustration 1) approving or disapproving the application. The Authorized Officer shall then notify the applicant of the approval, disapproval, or inadequacy of the application within 10 working days of receipt of an application (see Illustrations 6 & 7). If the application is not approved, the Authorized Officer shall notify the applicant in writing of the reason for the disapproval and advise the applicant of the right of appeal in accordance with 43 CFR Part 4. Information on Taking Appeals to the Board of Land Appeals, Form 1842-1 (see Illustration 8), must be included with all adverse decision letters relating to the adoption program. If the application is inadequate, the applicant may correct the deficiency and reapply.

1. **Administrative State.** The Administrative State is the BLM State having jurisdiction for the location of the facility where an adopted wild equine is maintained. The Administrative State has all responsibility for compliance and enforcement activities of adopted animals within their jurisdiction. The Authorized Officer for the Administrative State is responsible for reviewing the application and determining if the applicant is qualified.

2. **Facility outside of the Adoption Site's Administrative State.** In some cases, the adopted animal will be maintained in an Administrative State that is different from the adoption site. In these situations, the Authorized Officer of the Administrative State is still responsible for review and approval of the application. It is imperative that during the screening process for the adoption this requirement is clearly conveyed to all potential adopters. All paperwork concerning the adoption shall be forwarded to the Administrative State within one week of the adoption.

D. Private Maintenance. The Private Maintenance and Care Agreement (PMACA), Form 4710-9 (see Illustration 9), must be properly filled out and signed by the adopter and the Authorized Officer at the adoption site. Next, the adoption fee must be paid, except for orphan foals and replacement animals. (See paragraph D.3 below). Finally, BLM personnel or agents load the animal into the truck or trailer for the journey to its new home (unless, as in many reassignments, the animal can be safely handled by the adopter).

1. Preparation and Review of Documents.

a. **Private Maintenance and Care Agreement.** See Illustration 9 for guidance on proper completion of the PMACA.

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2. Distribution of Copies. The PMACA is a three-part form. When the form has been completed and signed, the Authorized Officer at the adoption site must provide the Adopter copy of the PMACA to the individual signing the PMACA. The Office of Jurisdiction copy of the PMACA is retained in the Administrative State, and the Adoption Center copy of the PMACA is distributed according to procedures established by the Administrative State. If the State that processes the adoption is different from the Administrative State, the adopting State should retain the Adoption Center copy and forward the Office of Jurisdiction copy to the Administrative State within one week. The Administrative State is responsible for entering the data into the Wild Horse and Burro Information System (WH&BIS). (See paragraph E.1 below).

3. Collection of Adoption Fees.

a. The adoption fee for each wild horse or burro is \$125. Mares or jennys with unweaned foals are adopted for \$125 each (\$250/pair). Adoption fees are non refundable. The following are exceptions to the standard \$125 adoption fee:

(1) No fee is charged for orphan foals.

(2) A fee higher than the standard \$125 adoption fee is established through a competitive bidding process.

(3) Replacement animals are provided at no fee under certain conditions (see paragraph F.3 below).

(4) Fees may be reduced in certain circumstances (see paragraph D.4 below).

b. All payments are to be by cash, personal checks, credit card or guaranteed remittance (money order and traveler's or cashier's check) made payable to "DOI--BLM" or "Department of the Interior--BLM."

c. The adopter's copy of the PMACA stamped "Paid" may serve as a receipt of payment of the adoption fees. While there is no standard "Paid" stamp used by the BLM, it should at a minimum, imprint the date, Department of the Interior, Bureau of Land Management, the word PAID, and a space for amount paid. Alternately, a receipt may be prepared in triplicate for cash payments or other types of payment at the discretion of individual State Offices. If a separate receipt is used, the original should be provided to the adopter, the first copy should be placed with the deposit slips, and the second copy should be attached to the Administrative State's copy of the PMACA.

d. Funds collected for adoption fees are processed in accordance with BLM Manual Section 1372. Collections are credited to Fund Symbol 14507.3, Subactivity 5200 - Expenses, Adopt-A-Horse. During temporary adoption events (see Chapter III), the Authorized Officer or other individual designated as a collection agent is responsible for securing the money and paperwork at the end of each day.

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4. Reduced Fees. According to the wild horse and burro program regulations at 43 CFR 4750.4-2, adoption fees may be reduced or waived when the Director determines that wild horses or burros are unadoptable based on specific criteria and that it would be in the public interest to reduce or waive the adoption fee. In September 1988, BLM discontinued the practice of waiving adoption fees. However, fees may continue to be reduced by the Director in certain specified circumstances when it is clearly beneficial to the Government to do so. Fee reductions shall be granted sparingly so as not to undermine the general requirement for a uniform fee or increase compliance problems and/or the likelihood of commercial exploitation. Except where the authority has been delegated to a State Director, approval to reduce fees may only be granted by the Director. Fee reduction authority may be redelegated below the State Director. The following criteria apply to reducing the adoption fee:

- a. Adoption fees may not be reduced below \$25 per animal, except for orphan foals.
- b. No individual may adopt more than four animals at a reduced fee in a 12-month period. The WH&BIS shall be used to verify this prior to approval.
- c. Adoption fees may be reduced by the estimated cost of veterinary service needed for wild horses or burros that are unadoptable because of temporary illness, minor injury, and for animals unadopted after having previously been offered for adoption at a temporary adoption center, to avoid the additional expense of transporting or maintaining the unadopted animals.
- d. If adopted animals are to be reassigned and there is no qualified adopter willing to pay the standard fee for the animals where they are located, the fee may be reduced in order to avoid the costs associated with transporting the animals to a BLM facility.
- e. The adoption fee may be reduced for a single wild horse or burro to help publicize or promote the adoption program.

5. Adoption Folder. Each adopter shall receive an adoption folder containing at a minimum the following information. States may choose to provide supplemental materials in the folder such as a copy of the most current national newsletter, a subscription card for the national newsletter, the current adoption schedule, historical information on the program, a wild horse and burro contact list, and titling information and a sample title form.

- a. Adopter's copy of the PMACA with either "Paid" stamped on the front indicating payment has been received or the adopter's copy of the PMACA with a separate receipt showing payment has been made.
- b. Wild Horse and Burro Health and Identification Report, Form 4710-17. (See Illustration 3.) This report contains capture, preparation, and identification data, as well as information about vaccinations, blood tests, and any other health care provided to the animal.
- c. State Health Certificate, if required.
- d. Training, feeding, and health care information.

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- e. BLM video about feeding, care and gentling your wild horse (if available).

6. Transfer of Title to Wild Horses and Burros: Title to no more than four wild horses and burros shall be conveyed to the adopter per 12-month period of private maintenance if all requirements of the PMACA and applicable regulations have been met.

- a. Titling Procedures

- (1) The adopter applies for title at the time of adoption by signing the PMACA.

- (2) At the end of 1-year, the BLM National Applied Resources Science Center (NARSC) will send a Title Eligibility Letter, Form 4710-18 (see Illustration 10) to the adopter indicating the animal is eligible for titling if it has been cared for properly. The Title Eligibility Letter will be sent to the adopter up to three times.

- (3) Upon receipt of the Title Eligibility Letter, the adopter arranges for an inspection of the adopted animal by a veterinarian, local humane official, or other individual acceptable to the BLM. To receive title, the adopter must return the certification portion of the Title Eligibility Letter to BLM properly completed by a qualified individual certifying that the animal is in good condition and has received proper care. The State Director may delegate title authority to District and Field Offices.

- (4) In those instances where the adopter has not returned the Title Eligibility Letter to the BLM, the BLM may conduct a physical inspection of the animal. If the adopted animal is being properly cared for, the BLM will issue title of the inspected animal to the adopter.

E. Records Administration The BLM retains the responsibility for assuring that adopters comply with the PMACA until title is transferred to the adopter or the animal dies. Accurate and timely record keeping is essential to fulfilling this responsibility.

1. Privacy Act Requirements Information on **individuals** which is in the Bureau of Land Management Privacy Act System of Records, LLM-28: Adopt a Wild Horse, is protected by the many requirements of the Privacy Act (see 383 DM 1-14; 43 CFR Part 2, Subpart D; and BLM Manual Section 1278.7). This guidance applies to information in both electronic and paper form.

- a. These regulations include but are not limited to the following: that information maintained on individuals is accurate, reliable, and current; that accounting of access must be made available to the subject when requested; that safeguards are in place to protect the system for unauthorized access; that the subject of the file may request access and an opportunity to request an amendment to the information; and that disclosure be made according to Interior regulations at 43 CFR 2.56.

- b. The Privacy Act requires that the individual who is the subject of the file provide consent to release the information from a system of records. There are exceptions to this disclosure without consent rule.

- (1) One of them is that a release can be made without consent if provided to a Departmental employee who has "a need to know" the information;

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(2) Another exception is when a third party requests the information under the FOIA, and the FOIA requires release. This means that if a third party is not listed under the "Routine Use" section of the Federal Register Notice, he **must** request the information by submitting a Freedom of Information Act (FOIA) request to the appropriate office. Refer to 43 CFR 2.56.

Note: The requirements of the Privacy Act are **not** extended to organizations, businesses, and individuals involved in an entrepreneurial capacity. However, their information may be protected by certain FOIA exemptions such as Exemption 4 for commercial or proprietary information. See the section below.

2. Freedom of Information Act (FOIA) Requirements For the public to access information on an **individual** in the adopter case file, a FOIA request is required unless the party is identified on the "Routine Use" section of the Federal Register Notice, or they are an employee who has a need to know the information. See 43 CFR 2.56.

a. If statistical information is requested which would not identify the individual to the information and which does not contain any sensitive information (e.g. should not include drivers license numbers, Social Security numbers, home phone numbers), a FOIA request is not required.

b. A review of Wild Horse and Burro case files has identified some information which is exempt under the FOIA, and care should be taken to protect such information from general public inquiries. Withholding of information under a FOIA exemption would not apply to Congress and parties listed under the "Routine Use" section of the Federal Register Notice. The "general public" according to the Office of Management and Budget is never provided routine access to records in a Privacy Act System of Records.

c. An example of information which is exempt under the FOIA is listed below. If you receive requests for information from the Wild Horse and Burro case files, or database, please consult with your office's FOIA and Privacy Act Coordinator, or Bureau FOIA and Privacy Act Officer.

d. Some information from the files protected by FOIA Exemptions:

- (1) Social Security Numbers, & Drivers Licenses: Exemption 6
- (2) Investigations of violations not yet closed: Exemption 7
- (3) Home phone numbers: Exemption 6
- (4) Home addresses when the horse is not located at the home address: Exemption 6
- (5) Unsuccessful applicant applications: Exemption 6
- (6) Portions of Law Enforcement files even after the case is closed: Exemption 7

3. Records Management Requirements

a. Wild Horse and Burro Information System (WH&BIS). The Administrative State must enter the PMACA information in the electronic data base, WH&BIS, within 30 days of adoption date. (See BLM Wild Horse & Burro Information System Users Guide 4700 Series.) Contact the Wild Horse and Burro User Representative at the NARSC if this time frame cannot be met.

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b. Official Adopter Case File. An official adopter case file shall be set up in the Administrative State. The file shall include the approved application, copy of the PMACA, and other relevant documents such as copies of the receipts for money collected, records of compliance inspections, and correspondence relating to the adoption. The information which is protected under the Privacy Act will be kept under separate cover within the case file in the event that a Freedom of Information Act (FOIA) request is made and the rest of the file is copied and given to the requestor. Contact the Records Administrator in your office for guidance and administrative consistency.

(1) Records Maintenance

Wild horse files should generally not be removed from the office except by permission of the group manager. Charge cards should be used so that the office can easily locate a file on loan to an employee from the collection. A listing of the files should also be maintained for easy tracking and reference. Where possible, the file collection should be located away from the main visitor area to ensure adequate security of the records.

(a) Records Disposition See the BLM Records Disposition Schedule located in BLM Manual 1271 for instructions on disposing of files, or contact your local records administrator.

(b) Filing Practices File a copy of all changes or additions to the wild horse data base in the appropriate file. For example, a note should be made of a telephone request for an address change and placed in the appropriate file. Likewise, any correspondence received by mail or e-mail should be filed in the appropriate file.

4. Information Collection Requirements

a. Legal Requirements. The Paperwork Reduction Act requires agencies to plan for the development of new collections of information and the extension of ongoing collections of information well in advance of sending the proposal to Office of Management and Budget (OMB).

b. Changes to Collection. Any changes to the current forms will require advance planning because agencies need to estimate the potential burdens on respondents, prepare to disclose certain additional requirements to the public, seek public comment through a 60 day notice in the Federal Register, and certify that the collection reduces the burden to the extent possible. Moreover, agencies must have obtained OMB approval for third party disclosure, and are prohibited from penalizing respondents that haven't been informed that a response is not required unless the request displays a control number.

c. Electronic Information Collection. Agencies are encouraged to use electronic collection techniques where such techniques reduce burden on the public, increase efficiency of government programs, reduce costs to the government and the public, and/or provide better service to the public.

d. Changes to Forms. Changes to forms, new forms or methods of collecting information from members of the public must go through the Information Collection Budget (ICB) clearance process.

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F. Post - Adoption Modifications. After the adoption but before title is conveyed to the adopter, changes sometimes occur or become necessary.

1. Change of Adopter's Residence. Adopters shall notify the authorized officer within 30 days of any change in address. If the Administrative State changes, the official file must be forwarded to the new Administrative State within 2 weeks of notification by the adopter. The changed address must be entered in the WH&BIS by the new Administrative State.

a. When five or more wild horses or burros are moved, the new facility must be inspected. (Refer to Chapter II, paragraph B.4.)

2. Change of Adopted Animals Location. Adopters shall not transfer animals for more than 30 days to another location or to the care of another individual without the prior approval of the authorized officer. If the change in location involves a change in the Administrative State, the official file must be forwarded to the new Administrative State within two weeks of notification by the adopter. The change in the animals location must be entered in the WH&BIS by the new Administrative State.

a. When five or more wild horses or burros are moved, the new facility must be inspected. (Refer to Chapter II, paragraph B.4.)

3. Replacement of Adopted Animals. In spite of efforts to provide adopters with healthy animals, the Authorized Officer may receive requests to replace wild horses and burros that die or must be destroyed within six months after adoption. Upon request, an adopter may receive a replacement animal at no fee if **ALL** of the following conditions apply:

a. The adopter provides a veterinarian's statement that the animal died or was destroyed within six months of the adoption date due to a condition existing at the time of adoption and that the death could not have been prevented by the adopter.

b. The request for replacement, with substantiating veterinarian's statement, is received no later than 30 days after the animal's death.

c. The adopter provides for transportation of the replacement animal from an adoption center at the adopter's own expense.

d. The adopter takes possession of the replacement animal within six months of the approval of the replacement request.

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4. Request to Terminate Private Maintenance and Care Agreement. An adopter who wishes to relinquish responsibility for an adopted animal must send a written request or call the office of jurisdiction and obtain written permission from the Authorized Officer for termination of the PMACA. (See Illustration 11.) The Authorized Officer shall encourage the adopter to attempt to find a qualified person interested in adopting the animal. The Authorized Officer shall (1) adopt the animal to the person recommended by the adopter or to another qualified applicant or (2) take possession of the animal at a location specified by the Authorized Officer within 30 days of receipt of the written request for relinquishment. Prior to transporting the animal(s), the adopter is responsible for assuring the adopted animal has a current Coggins test, the inoculations are up-to-date, and when applicable, has obtained an State health certificate for transporting across state lines.

5. Reassignment of Adopted Animals. An adopted animal may be reassigned to another individual at the request of the adopter and the approval of the authorized officer. Animals repossessed by BLM because of violation of the PMACA may also be reassigned. The new adopter must meet the qualifications for adoption, and the 12-month period of private maintenance shall begin at the date of approval of the reassignment. Files and computer records must be modified to reflect reassignments. The authorized officer is encouraged to maintain a list of individuals and groups (e.g., humane societies, wild horse advocacy groups) willing to take animals on reassignment or to keep them on a temporary basis until a new adopter is located. When necessary, the Authorized Officer may contract for temporary maintenance of the animal. Except in emergency situations, the animal may not be transferred until written authorization is received from the Authorized Officer.

a. Recovery of Adoption Fee and Expenses Prohibited. Collection of money by the original adopter from the new adopter as part of a reassignment is a violation of the regulations prohibiting the sale of wild horses or burros. Therefore, adoption fees and veterinary, feed, board, and other expenses cannot be recovered by the adopter terminating the PMACA.

b. Adoption Fees for Reassigned Animals. To avoid unnecessary expense, it is in the public interest for BLM directly to reassign an adopted animal rather than to return it to an adoption facility. Therefore, if there is no qualified adopter willing to pay the standard adoption fee for the animal where it is located, the Director may reduce the fee to a new qualified adopter in order to avoid the costs associated with transporting the animal to a BLM or contract facility. (See paragraph II D.4.)

CHAPTER III - TEMPORARY ADOPTION CENTERS

A temporary adoption center brings animals to an area identified as having the potential for placement of available wild horses or burros. The temporary adoption center is any location where animals are offered for adoption on an irregular basis. The number of animals made available for adoption at a temporary center can vary depending on need and availability of animals. Cost effectiveness should be a primary concern when planning a temporary adoption for a small number of animals, such as one truckload. The Administrative State for the area where the adoption is held is responsible for all activities associated with the operation of a temporary adoption. Coordination with adjacent State Offices should be considered where a temporary adoption is planned near a jurisdictional boundary. Major activities include choosing the location, obtaining a facility, coordinating with the National Wild Horse and Burro Team to arrange for the animals needed, assigning personnel, promoting the event, and conducting the adoption, and follow-up actions.

A. Choosing the Location. There are a number of factors to be considered in determining where and when to establish a temporary adoption center. These include, but are not limited to, population characteristics, climate, media presence, availability and accessibility of an appropriate facility, presence of wild horse and burro advocacy or equestrian groups (e.g., riding clubs, 4-H), success of previous adoptions in the area, and volume of applications from the area. Other factors that should be researched that may affect the success of the event are national holidays and observances, locally scheduled events that may draw potential adopters away from the center, and "piggy backing" onto a related local event (e.g., county fair) that would maximize visibility and promotional efforts.

B. Facilities. Different kinds of facilities can be used for temporary adoption centers. These range from livestock barns and rodeo arenas to portable panels and corrals set up in vacant areas and under show barns at fairgrounds. The major consideration in selecting a facility is the safety of the animals and the people. The following criteria are provided as a guide to help in choosing a facility.

1. Corrals/Pens. A covered facility is preferable, especially in areas where rain and inclement weather could affect the success of the adoption. The size and number of pens required depends on layout of the facility and number and type of animals. Standards are listed below:

- a. Sturdy board or pipe fencing in good repair and of sufficient height and strength to contain the type of animals being adopted.
- b. Pens opening into at least one alleyway.
- c. Swing gates with good latches that are easily operated.
- d. No protruding latches or boards and no overhead obstructions.
- e. Gates, pens, alleyways, chutes, and runways with at least 6-foot headroom.
- f. Design allowing sorting of several animals from a pen through alleys to the haltering chute.

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2. Haltering Chute.
 - a. At least 6 feet high and stoutly constructed with no sharp edges (may be portable chute provided by BLM and/or contractors). It is preferred that the inside of the chute be padded to help reduce injury to the animals.
 - b. Equipped with front and back gates to confine the animal for haltering and removing the identification tag. Gates must open and close easily.
 - c. Equipped with catwalk to assist in haltering animals.
 - d. Sufficient space to safely halter the animals away from people not directly involved.
3. Semi-trailer Loading and Unloading Chute.
 - a. Floor should be at least 4 feet high (standard height for loading and unloading both drop-center and straight-deck trailers).
 - b. Height of the sides of the chute should be approximately 5-1/2 to 6 feet. Chute shall have solid sides which restrict the animal's vision and will minimize the risk that the animal will attempt to jump out of the chute.
 - c. Chute should be configured so that animals can be loaded and unloaded from side door and/or rear of trailer.
4. Horse/Stock Trailer Loading Chute
 - a. Wing gates can be attached to the front of the haltering chute to form a loading chute for horse and stock trailers. Gates must be hung at least 6 feet high and be at least 6 feet long.
5. Gates.
 - a. Constructed of sturdy board or pipe in good repair; may require tarpaulin or other material to make them visible to the animals.
 - b. High enough to handle the animals, depending on species and degree of gentling.
 - c. Equipped with latches in functioning order.
 - d. Capable of closing off alleyway for sorting.
6. Water. Adequate supply of clean drinking water for animals. Note number of drinking tubs and hoses needed if not supplied by facility owner. Two troughs per pen is preferred.
7. Electricity. Electricity may be needed for lights in the pens and loading areas and for the office equipment.

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8. Office. Adequate office space or an area to set up an adoption trailer.
9. Telephone. Not essential, but highly desirable. Can be used in conjunction with a modem to access the WH&BIS data base for temporary adoption centers where walk-up adoption applications are accepted. Can also be used by potential adopters to contact the BLM for information on procedures to adopt a wild horse or burro and directions to the event.
10. Radios. Portable 2-way radio communications are highly desirable at most centers but not essential.
11. Rest Rooms. If not available at facility, arrangements should be made for portable rest rooms.
12. Seating. Not essential, but useful, particularly for spectators and adopters during briefing by the Authorized Officer and when educational seminars are held.
13. Public Address System. Useful, especially for briefing, but not a necessity. A portable system or a bullhorn can be brought to an adoption site by the BLM.
14. Signs. Marquee publicity is a plus. Signs are essential to safely manage people at the event (e.g., "keep off fence", "keep out").
15. Vehicle Accommodation.
 - a. Well-drained, preferably paved or gravel surface.
 - b. Turn-around area(s) which have no low hanging wires or trees for semi-trucks and private vehicles with trailers.
 - c. Space for adopters' trailers to line up at the loading area.
 - d. Parking space for spectators, away from the loading area.
16. Facility Access.
 - a. Must have all-weather road, preferably a hard surface two-lane road.
 - b. Should be readily accessible to a major highway or freeway system and easy to find by the public and animal truckers.
17. Services. Certain services are essential to the success of the center while others are merely desirable.
 - a. Essential. Arrangements must be made for the following:
 - (1) Veterinarian on-call.
 - (2) Emergency medical facility information available.

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(3) Locking gates or other types of physical security. (Typically the lease will include provision of a night watchman by the facility operator.)

(4) Dead animal pickup and disposal.

b. Desirable. The following can add to the success of the event:

(1) Snack bar.

(2) Source for money orders.

(3) Local source for halters or other tack needed by adopters.

(4) Someone with the proper equipment interested in transporting animals for adopters.

C. Checklist of Activities for Confirmed Temporary Adoption. Substantial lead time and preliminary work are necessary in preparing for a temporary adoption event. Arrangements for the facility should be confirmed at least 90 days prior to the adoption date. Once the site has been chosen, the following steps are required for a successful temporary adoption:

1. Contact the National Wild Horse and Burro Team and forward the Animal Order Form to reserve the number and type of animals needed for the adoption and to arrange for their shipment.

2. Develop and implement promotional plan. (See Appendix 1 - Adoption Publicity Planning.)

3. Identify and commit key personnel needed for the adoption.

4. Contact veterinarian(s) for availability for emergency care and for health certificates when transporting animals across State lines.

5. Identify requirements for pickup and disposal of dead animals and locate appropriate source for this service, should it be needed.

6. Obtain local telephone number of fire, police, and medical emergency services.

7. Reserve rooms at motel, preferably one with restaurant opening at 5 a.m.

8. Arrange for safekeeping of money collected. (Recommend night deposit at a bank, if available, or securing money at a BLM office.)

9. Assure delivery of the appropriate quality and quantity of hay to coincide with arrival of animals.

10. Arrange for supplies/equipment that BLM must bring to event (e.g., office supplies, bullhorn if public address system is not available).

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11. Notify applicants and past adopters of forthcoming temporary adoption at least 6 weeks prior to the event. Mailing labels for past adopters can be generated from the WH&BIS.

12. Contact State veterinarian and inquire about any special health requirements for the temporary adoption.

13. If applicable, arrange for State livestock inspectors to issue hauling certificates for individual animals.

14. Arrange for directional signs to be posted along route to facility. Signs should be designed for visibility and legibility.

15. Arrange for transportation of unadopted animals to be returned to a BLM facility.

16. Arrange an educational seminar for potential adopters the afternoon before the scheduled adoption event, if possible. Include local veterinarians, farriers, county agents, trainers, nutritionists, and BLM employees that adopters can contact for a source of help and assistance after the adoption.

D. Information Sheet. As soon as it is available, the following information should be provided in writing to all those having any involvement in the temporary adoption. This information needs to be provided to the public affairs staff, BLM adoption contractor, National Adoption Coordinator, truckers, volunteers, and others involved in the adoption.

1. Adoption dates.

2. Name and address of facility.

3. Directions to the facility from major highways.

4. The time animals are available for viewing by the public or news media.

5. Name of facility contact person and phone number.

6. Name of BLM contact person and phone numbers at the BLM office and at the motel during the adoption event.

7. Name and phone number of BLM official responsible for facility rental agreement.

8. Other useful phone numbers, including those of the veterinarian, emergency facilities, etc.

E. Operation of the Temporary Adoption Center.

1. Order of Selection. The order in which potential adopters select animals varies from one State to another. Whichever method is used, it is important that it be well publicized and understood by the public. All publicity should describe the selection process to be used, as should all correspondence. Standard methods are described below:

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a. Competitive Bid - Verbal Adoption. The purpose of the verbal adoption method is to allow the adopter to adopt the animal of their choice through the bidding process. The verbal adoption is a competitive bidding process that will identify the true adoption value of the adopted animal. BLM should register pre-approved adopters by recording the adopter's name, and assigning a bid number on the adopter's registration sheet. It is suggested that a minimum of one hour be set aside to allow approved adopters time to view the animals prior to the verbal bidding process. To ensure the safety and well being of the animals, the use of an indoor arena is not recommended when conducting a verbal competitive bid adoption. Due to the temperament of the animals, running them through an enclosed arena may increase the potential for injury and stress. Depending on the facility, the process could be accomplished by using a round pen that is attached to the facility, or by having the adopters view the animals in holding pens during the bidding.

b. Competitive Bid - Silent Adoption. The purpose of the silent adoption process is to allow the adopter to adopt the animal of their choice through a bidding process. The silent adoption process is a competitive bidding process that will identify the true adoption value of the adopted animal. The public should have the opportunity to view the animals that are available for adoption prior to the adoption. BLM should register pre-approved adopters by recording the adopter's name, and assigning a bid number on the adopter's registration sheet. At least one hour should be set aside to allow approved adopters time to view the animals prior to the silent adoption process. Once the bidding period opens, the minimum bid accepted will be \$125.00. However, the *first* bid on an animal may be *unlimited*. The suggested minimum bid increment should be \$5.00 per bid. The suggested maximum bid increment after the first bid should be \$25.00 per bid. (Bid increments are suggested to prevent collusion between adopters). Adopters may bid on any number of animals, any number of times. However, adopters may *only adopt* the number and ages of animals they are eligible to adopt, as indicated on their bid card. Crossing off bids during the bidding process must be done by BLM officials. At the end of the bidding period, all bid sheets will be pulled for those animals receiving a bid. It is recommended that all bid sheets be pulled promptly. The bids will be awarded starting with the highest bid first.

c. First Come, First Served. Each morning, a sign-up sheet is posted in a highly visible area of the adoption site. All potential adopters are processed on a first come, first served basis as their names occur on the sign-up sheet. This method gives no preference to applicants who submitted advance applications to BLM.

d. Application Approval Date. This method allows BLM to process first those applications approved prior to the adoption event. It rewards those people who submit applications earliest to BLM. After the approved applicant list is exhausted, adopters are processed as stated in the first come, first served method.

e. Drawing to Establish Order of Selection. This method allows BLM to process approved applications prior to an adoption. Names of all applicants present with pre-approved applications are drawn to establish the order of selection. After the approved applicant list is exhausted, adopters are processed as stated in the first come, first served method.

2. Procedures. The following procedures are helpful in conducting temporary adoptions. Individual State Offices may modify these to fit their own needs and methods of operation.

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- a. Once the animals have been separated in pens by age, sex, or other categories, a cross reference of individual animal tag numbers with health records to verify that the animals on hand match those for which health records were received is performed.
- b. For each pen, a signboard is prepared listing the animals in that enclosure. Information on the board should include the age, sex, color, and identifying neck tag number for each animal. If any of the animals are pairs (foals with mares or jennies) or were prison trained, that information should also be noted. These boards should be placed on the outside of the pens where they are clearly visible to the public.
- c. Set out applications and other wild horse and burro informational material for distribution to potential adopters and others visiting the temporary center.
- d. Begin the adoption with a briefing by the authorized officer or public information officer. The briefing should include an overview of the wild horse and burro program, program requirements, and the adoption process, as well as introduction of personnel. The method used to determine order of selection or the procedures used for competitive bidding should be explained. BLM personnel may wear an approved uniform (see BLM Manual Section 1103).
- e. Encourage potential adopters to identify several animal choices in case their first choice is adopted by the time it is their turn to select.
- f. Call applicants' names in predetermined order. (See III E. a, b, c, d, and e above.)
- g. If not done previously, review each adopter's application at time of selection to determine if the applicant is qualified based on criteria listed in Chapter II, paragraph A.2, "Adoption Qualifications." (Also, see Illustration 4.) Every effort should be made to screen applicants before the adoption event.
- h. If the applicant is qualified, the animals desired are identified and the adoption process is initiated following the procedures outlined previously in Chapter II, paragraph D, "Private Maintenance."
- i. As animals are adopted, their numbers must be crossed off the signboard at the pen. If a master list is maintained, adopted animals' numbers must also be removed from that list. This is a very important step to ensure that the same animal is not chosen and adopted more than once.
- j. Wranglers will sort and load adopted animals. Adopters should have a halter and lead rope ready for each animal adopted.
- k. Adopters must provide their own vehicles or make private arrangements for vehicles to transport their adopted animals. Decisions regarding the adequacy of trailers shall be made by the Authorized Officer. Refer to Chapter II, paragraph A.7 for the type of transportation acceptable for hauling adopted horses and burros.
- l. If the authority to reduce fees has been delegated or a reduction of fees has been granted, the adoption fee may be reduced (as outlined in Chapter II, paragraph D.4) for qualified adopters especially when a few animals remain unadopted towards the end of the event.

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m. Unadopted animals will be shipped to a predetermined facility accompanied by shipping and health records. Shipping records should be entered into the WH&BIS as soon as possible after the event. Some states may require the issuance of a new State Health Certificate from the temporary adoption location. A new State Health Certificate is required when crossing State lines.

n. At the conclusion of the temporary adoption event, all completed paperwork and fees collected will be processed by the Administrative State responsible for the adoption event. If any of the adopted animals will be maintained in areas not under the jurisdiction of the State running the temporary adoption center, the authorized officer shall forward the paperwork to the appropriate Administrative State Office within one week of the adoption.

F. Follow-up Activities.

1. Post-Adoption Analysis. As soon as possible after the temporary adoption, a written evaluation should be prepared assessing the event. Emphasis should be placed on identifying problems to be avoided in future events and successful practices to be repeated. A survey of those attending the adoption (both adopters and observers) can be helpful in assessing the success of the event. The evaluation should also include a recommendation as to when to return to the area and whether to use the same facility.

2. Acknowledgements. Send letters of thanks to local volunteers, media contacts, and others who helped with the event.

3. Administrative Tasks. See Chapter II, paragraph E, "Post-Adoption Requirements."

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Glossary of Terms

-A-

authorized officer: any employee of the Bureau of Land Management who has been delegated the authority to perform the duties described in this handbook. See BLM Manual Section 1203 for an explanation of the delegation of authority.

Administrative State: the BLM State Office having jurisdiction for the location where an adopted wild horse or burro is maintained.

-C-

commercial exploitation: using a wild horse or burro because of its characteristics of wildness for direct or indirect financial gain. "Characteristics of wildness" include the rebellious and feisty nature of such animals and their defiance of man as exhibited in their undomesticated and untamed state.

compliance inspector: a BLM employee who inspects untitled adopted wild horses or burros and the facilities in which they are maintained to determine whether the adopter is meeting the obligations of the Private Maintenance and Care Agreement; also, an individual who is authorized to conduct compliance inspections on behalf of BLM.

conviction: any final administrative or judicial ruling that finds an individual has violated the Code of Federal Regulations or the laws on which the regulations are based.

-F-

freezemark: an individually unique identification symbol placed on the left side of the neck of a wild horse or burro by a technique utilizing marking rods chilled in liquid nitrogen to place a code made up of straight lines and angles (Angle System) representing the numbers "0" to "9"; each healthy wild horse or burro removed from the public land is freezemarked to record an eight-digit identification number, with the first two digits representing the last two digits of the calendar year in which the animal was born.

-G-

gentled wild horse or burro: a wild horse or burro that, when not restrained, is sufficiently tame to allow strangers to approach and touch it, apply a halter, and lift its feet, and that does not require more than standard livestock fences to prevent it from straying.

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-H-

humane treatment: any handling compatible with animal husbandry practices accepted in the veterinary community, without causing unnecessary stress or suffering to a wild horse or burro.

halter trained wild horse or burro: a wild horse or burro that can be easily caught when not restrained and that will lead with a slack rope, submit to hoof care, stand quietly for grooming, and load without protest into a horse trailer.

-I-

inhumane treatment: any intentional or negligent action or failure to act that causes injury or undue stress or suffering to a wild horse or burro and that is not compatible with animal husbandry practices accepted in the veterinary community.

-P-

private maintenance: the provision of proper care and humane treatment of excess wild horses and burros by qualified individuals under the terms and conditions specified in a Private Maintenance and Care Agreement.

-S-

signalment key: a code used to supplement the freeze mark for identifying any animal by providing a detailed physical description of the animal, including species, sex, distinctive markings, and color.

-T-

temporary adoption center/event: an event or location where wild horses or burros are offered for adoption for 1 to 5 days on an irregular basis.

-W-

wild horses and burros: unbranded and unclaimed horses and burros that use public lands as all or part of their habitat or that have been removed from these lands by the authorized officer but have not lost their status under Section 3 of the Act.

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Illustration 4

SAMPLE ADOPTION SCREENING CHECKLIST

ADOPTION REQUIREMENTS

ADOPTERS

Must be 18 years old or older.

Must have no prior violations of wild horse and burro regulations or any convictions of inhumane treatment to animals.

Will have no more than 4 untitled animals in the same location until an additional screening form and employment statement are completed.

FACILITY

Corral: 6 feet high for horses, 5 feet high for horses under 6 months old, 5 feet high for burros.

Fencing material should be masonry, rounded pipes, poles, or wooden planks.

Small-mesh woven wire fencing with a board along the top is acceptable.

Minimum size is 400 square feet per animal.

Shelter must be adequate for the climatic conditions of the area.

TRANSPORTATION

Covered stock trailers are preferred over two-horse trailers.

Two-horse trailers must have no openings large enough for animals to put a head through and must have the divider removed.

Drop tailgates on trailers are generally unacceptable.

Pickup trucks with stock racks are acceptable for burros and horses under 6 months only. At some facilities they are never acceptable.

Halters and lead ropes are provided by the adopter.

Halters of nylon webbing and lead ropes 3/4" to 1" in diameter are recommended.

REGULATIONS AND PMACA TERMS

Until titled, animals cannot be sold.

Animals cannot be neglected, abandoned, inhumanely treated, or used for the adopter's financial gain in any way that exploits their wildness.

The Authorized Officer must be notified within 7 days of discovery of an animal's death.

The adopter is responsible for all care, damage, and recapture expenses; no refunds or reimbursements will be made.

The Authorized Officer must be notified within 30 days if an animal is moved to a new location.

HEALTH AND NUTRITION

Adopters will receive a copy of the negative EIA (Coggins) test and a record of vaccinations and dewormings.

Adopters should develop a suitable nutrition program for each animal.

Adopters should establish a regular health care schedule for each animal.

PAYMENT

Payment must be cash, money order, cashiers or travelers check.

Costs of maintaining an animal vary considerably depending on the source of feed and veterinary needs.

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SAMPLE FACILITY CERTIFICATION FOR 5 OR MORE ANIMALS

1. APPLICANTS NAME AND ADDRESS:

2. ADDRESS WHERE ANIMALS WILL BE KEPT
IF DIFFERENT THAN APPLICANT ADDRESS:

FACILITY PHONE: _____

3. HOME PHONE: _____

4. BUSINESS PHONE: _____

4. NUMBER OF ANIMALS REQUESTED: _____ Male _____ Female, up to _____ years in age.

5. SPECIES OF ANIMALS REQUESTED: _____ Horses _____ Burros

6. DESCRIPTION OF FACILITIES:

a. Corral

Size: _____ Fence Height: _____

Fencing Materials: _____

Drainage: _____ Adequate; _____ Inadequate because: _____

b. Pasture

Size: _____ Fence Height: _____

Fencing Materials: _____

c. Shelter

_____ 3-sided windbreak; _____ box stall; _____ Other: _____

Size: _____

Ventilation: _____ Adequate; _____ Inadequate because: _____

Drainage: _____ Adequate; _____ Inadequate because: _____

SAMPLE FACILITY CERTIFICATION FOR 5 OR MORE ANIMALS

d. Water Sources

Container size and shape: _____
Provision for refilling: _____

e. Pasture forage/feed

Describe forage/feed quality and quantity to be fed:

.....

7. CERTIFICATION:

I, _____, am qualified by education, training, and/or
experience to assess the adequacy of facilities for maintaining adopted wild horses or burros.

I certify that I have examined the facilities described above and based on BLM standards I judge
them to be: ___ adequate ___ inadequate to maintain the number of animals requested.

Inspected by: _____
(signature)

Title: _____

Business Address: _____

Telephone: _____ Date: _____

SAMPLE DECISION LETTER - ADEQUACY OF ADOPTION APPLICATION

United States Department of the Interior
BUREAU OF LAND MANAGEMENT
Street Address
City, State, Zip Code

Dear Adopter Applicant:

Thank you for your application to participate in the Bureau of Land Management's wild horse and burro program. The Bureau periodically removes excess wild horses and burros from the public lands in the West and transports them to various adoption centers throughout the United States. Opportunities to adopt are given according to the availability of the animals.

_____ Your application has been approved. You will be notified as soon as the animals become available in your area.

_____ Your application requires clarification to ensure that your facilities meet the minimum requirements. Please contact us.

The continued success of the Adopt-A-Horse/Burro Program is dependent upon people who are willing to get involved and help promote the program. If you would like to help put up posters or promote the Adopt-A-Horse Program in your area, please let us know.

If you would like to adopt a wild horse or burro before a temporary adoption center is arranged for your area, please contact us for the location of the nearest permanent adoption center. If you choose to go to one of the permanent adoption centers, you should call ahead to be sure that the type of animal that you wish to adopt is available.

Sincerely,

SAMPLE DECISION LETTER - DISAPPROVAL OF ADOPTION APPLICATION

United States Department of the Interior
BUREAU OF LAND MANAGEMENT
Street Address
City, State, Zip Code

Dear Adopter Applicant:

Your application to adopt wild horses or burros has been disapproved for the following reason(s):

Within 30 days from receipt of this decision, you have the right of appeal to the Board of Land Appeals, Office of Hearings and Appeals, 4015 Wilson Boulevard, Arlington, Virginia 22203, in accordance with the regulations at 43 CFR, Part 4, if you disagree with this decision to disapprove your application. You are required to provide a Statement of Reasons to the Board of Land Appeals and a copy to the Regional Solicitor's Office at (OFFICE ADDRESS). Please provide this office with a copy of the appeal and Statement of Reasons. The appellant has the burden of showing that the decision appealed from is in error.

For further information, please contact us.

Sincerely,

Enclosure: Form 1842-1

SAMPLE REQUEST TO TERMINATE
PRIVATE MAINTENANCE AND CARE AGREEMENT

United States Department of the Interior
BUREAU OF LAND MANAGEMENT
Street Address
City, State, Zip Code

I, _____ (Adopter's Name) _____, of _____ (Adopter's Address) _____

hereby request that the Private Maintenance and Care Agreement (PMACA) dated
_____ (date PMACA was signed) _____ with the Bureau of Land Management requiring me
to provide humane care to the following adopted wild horse(s) and/or burro(s) be terminated
and that the animal(s) be removed from my possession:

First Animal

Second Animal

Freeze Mark: _____

Freeze Mark: _____

Signalment Key: _____

Signalment Key: _____

Description: _____

Description: _____

Third Animal

Fourth Animal

Freeze Mark: _____

Freeze Mark: _____

Signalment Key: _____

Signalment Key: _____

Description: _____

Description: _____

(Signature)

(Date signed)

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ACTION PLAN FOR TEMPORARY SITE ADOPTIONS

Time Before Adoption

6-8 weeks Contact the following to arrange distribution of materials and check on any possible local equine events that could be tied into adoption event.

Event facility managers
State Department of Agriculture
Federal Information Center
Extension Service (include County extension agent – particularly in rural areas)
State Horse Council (refer to American Horse Council Directory)
Other Federal Agencies
Chamber of Commerce (state and local)
Cattleman's Association
Horse Clubs and local equestrian interest groups
Farm Bureau
Local Elected Officials
County Board of Supervisors
4-H, Future Farmers of America, feed and tack stores, western wear stores, local post office (especially in rural communities).
Past adopters (volunteers)
Local adopters for exhibition
Local grocery stores
Schools/Scouts
Local wild horse and burro interest groups
Humane and advocacy groups
Large animal veterinarians

After making contact send cooperating organizations, agencies, and others information kits including cover letter, brochures posters/flyers with adoption details (include date, time, location, fees, directions, and other information pertinent to the event)

Send information kits to volunteers (e.g., past adopters) for assistance in distributing info kits and posters. Identify and contact successful adopters and their animals for media representation.

Contact local trainers that you are familiar with to conduct training demonstrations during the adoption event. Make arrangements for trainer and past-adopter showcases.

Prepare and distribute three versions of media kits : newspaper; radio; and television.

Newspaper Kits - drop-in ads, press release, black and white photos or a combination of black and white and color photos. Distribute to all dailies, weeklies, and special interest pubs, i.e., farm & agricultural/livestock pubs, and weeklies – also include Public Service Announcement's (PSA's).

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Radio Kits - press release, PSA script to be read by announcer, information on any local adopters that could be interviewed.

Television Kits - video news release, press release, PSA script to be read by announcer and B roll film. Offer interviews with horse specialists and past adopters and their animals.

Generate mailing lists to past and potential adopters. The national toll free caller log could also be accessed by specific area. Send postcards or letter.

Send information to local, state, and federal officials to enlist their possible support and encourage attendance.

Make contact with newspapers, television stations and radio stations within 200 mile radius of adoption event.

Arrange for interviews with local reporters, past adopters, talk show appearances, and news spots. Pursue and continue contacts throughout the event.

Designate one contact person, phone number, and address in all media kits.

2-4 weeks Make advance media trip for personal interviews on TV, talk shows, news spots, public service programming (e.g., radio). If appropriate and if it can be arranged, have a past adopter available with their animal to talk about the program and showcase their animal.

1 week Call previous media contacts to remind them of the event.

Contact assignment editors of local TV and radio stations to encourage coverage.

Adoption Assist the media in covering event. Facilitate interviews with volunteers.

Day

Set up displays with information and brochures to disseminate to the public.

Show videotapes.

Showcase previously adopted and trained wild horses and burros.

Ensure that the training demonstration is working appropriately.