

## Attachment 1

### Guidance for Selling Wild Horses and Burros

#### Sale-Eligibility Criteria

Congress has directed that any excess animal more than ten years of age or that has been offered unsuccessfully for adoption at least three times shall be sold. [Wild Free-Roaming Horses and Burros Act of 1971, Pub.L. 92-195, §1333(e) (2004)] While sale-eligible animals may also be adopted, animals that meet the sales criteria must be made available for purchase. Animals become “sale-eligible” because of their age or the number of times offered unsuccessfully for adoption at adoption events, regardless of age.

1. Horse or burro that becomes 11 years of age as of January 1 [*Example: Animals born in 2002 are sale-eligible on January 1, 2013*], or
2. Horse or burro that has been offered unsuccessfully for adoption at three adoption events, as defined below:
  - a. Satellite Adoption Event: An organized event that is advertised and held at a location other than a Bureau of Land Management (BLM) preparation, maintenance or training facility by the BLM or a partner.
  - b. National Internet Adoption Event: Animals offered for adoption through the national internet adoption site.
  - c. Facility Internet Adoption Event: Animals offered on the facility adoption website for a minimum of seven continuous days.
  - d. Facility Satellite Adoption Event: A specific group of animals advertised and offered at a BLM facility for a minimum of one day.

Number of times offered for adoption: This is a count of the number of adoption events that an animal has been offered for adoption. Each adoption event will count as one time, no matter how many days the event lasted or the number of times competitive bidding was conducted during a multi-day adoption event.

A sale-eligible animal must also meet the following criteria:

- a. Has a Henneke body condition score of three or greater;
- b. Has vision in at least one eye;
- c. Is able to bear weight on four legs; and
- d. Meets the requirements for a valid health certificate.

## Preparation Requirements for Sale-Eligible Animals

### 1. Freeze Marking

All sale-eligible animals removed from the range, that is, animals more than 10 years of age when removed from the range, will be marked with the standard alpha angle animal identification freeze mark\* applied to the left side of the neck.

\*A freeze mark is a permanent, unalterable, and painless way to identify each horse as an individual. It is applied on the left side of the neck. It follows the International Alpha Angle System, which uses a series of angles and alpha-symbols that cannot be altered. The mark contains the Registering Organization (U.S. Government), year of birth, and registration number. The technique is simple and completely painless to the animal.

In addition to the standard identification freeze mark, all sale-eligible animals that are more than ten years of age will be freeze marked with a three-inch U symbol on the left side of the neck when they are sold. The mark should be placed immediately to the right, adjacent to and on the same level as the identification freeze mark.

Four digit hip numbers will be applied to sale-eligible animals prior to being shipped to long-term holding pastures.

Younger sale-eligible animals that have been unsuccessfully offered for adoption three times will be freeze marked with a three-inch U symbol on the left side of the neck when they are sold.

### 2. Vaccinations, Deworming, and Equine Infectious Anemia (EIA) Tests

To help safeguard the health of all animals held in short-term holding corral facilities, routine vaccinations, deworming and EIA tests will be administered to new sale-eligible animals removed from the range and those being held in short-term holding facilities in accordance with Preparation Handbook 4750-1 and Instruction Memo 2009-074 "Wild Horse and Burro Vaccinations in Short-Term Holding Facilities." Facility Managers will update expired or soon-to-expire (less than 30 days) vaccinations and deworming and EIA testing for animals that have been selected by a purchaser.

### 3. Animal Identification: Identification of sale-eligible animals will be based on the following:

- a. Freeze mark on neck;
- b. Signalment key codes used for describing animals;
- c. Wild Horse and Burro Program System (WHBPS) database; and

- d. Animals that cannot be identified due to unreadable freeze marks will be re-aged and branded with a new freeze mark. Animals will be re-aged by a veterinarian or BLM employee who is experienced in aging horses and burros.

## **Sales Process**

1. All purchases shall include the following steps:
  - a. Every purchaser will need to complete and sign an Application to Purchase Wild Horses and Burros (Attachment 2) and email it to [wildhorse@blm.gov](mailto:wildhorse@blm.gov), fax it to 202-912-7182, or hand-deliver it to a BLM short-term holding facility.
  - b. Facility Managers will look up the purchaser's name in WHBPS to determine if there are any documented notes in the system before they sell an animal.
  - c. When there is evidence that may indicate a purchaser does not intend to provide a good home, the Facility Manager will deny the sale and document the reasons for their decision in WHBPS. The Facility Manager will then notify the Washington Office (WO) WH&B Sales Program Lead so that other Facility Managers can be advised of the situation and prevent such buyers from shopping from facility to facility.
  - d. The Facility Manager will send a copy of the completed and signed Application to Purchase Wild Horses and Burros (Attachment 2) and a copy of the completed and signed Bill of Sale for Wild Horses and Burros (Attachment 3) to the WO Wild Horse and Burro Division (WO260) via email at [wildhorse@blm.gov](mailto:wildhorse@blm.gov) or fax it to 202-912-7182.
  - e. Purchasers must provide transportation for the purchased animal from the approved BLM sales location to its new home. The BLM requires a stock or horse trailer with a rear swing gate and covered top. Provided the dividers are removed or are folded back, three-horse slant trailers are acceptable. No drop ramps or one-horse trailers. Two-horse trailers are approved on a case-by-case basis. All trailers must meet these minimum standards:
    - covered top, sturdy walls/floors, and a smooth interior free from any sharp protrusions;
    - ample head room (animal can stand fully upright with a normal posture without touching the ceiling);
    - separate compartments to separate animals by size and sex, if necessary;
    - floor covered with a non-skid material; and
    - adequate ventilation to provide airflow while in transit and while stopped.
  - f. The BLM will inspect trailers and reserves the right to refuse loading if the trailer does not ensure the safety and humane transport of the animal.

2. The BLM requires that requests from individuals or groups to purchase more than four animals in a six-month period need to be approved by the Assistant Director, Resources and Planning. Individuals interested in purchasing more than four animals in a six-month period are required to submit a proposal detailing where animals will be kept, plans to provide humane care including adequate forage, water, hoof and veterinary care, fencing, and the intended use for the animals. Proposals should be sent to wildhorse@blm.gov or faxed to 202-912-7182.
3. Copies of all sale documents (Application to Purchase Wild Horses and Burros, Bill of Sale, and proposals to purchase more than four animals in a six month period) are to be sent to the WO260 WH&B Sales Program Lead who will file and maintain them in the Bureau's official central file record system.
4. The details of purchases of animals to Federal and State Agencies will be outlined in Interagency Agreements.

## **Sale Requirements**

1. Each purchaser will be provided the following:
  - a. Bill of Sale: Animal ownership will be transferred by an original Bill of Sale issued to purchasers. A copy of all Bills of Sale will be retained for official Bureau records. Blank Bill of Sale forms are available through the WHBPS system under reports, sales.
  - b. Health Record: This paper lists medical records including vaccinations, coggins test results, and animal freeze mark and signalment key.
2. A Bill of Sale provided to the purchaser is proof of purchase and indicates that the animal has become private property and is no longer under the protection of the Wild Free-Roaming Horses and Burros Act. A separate Certificate of Title will not be issued for any animals that are sold.
3. Animals that are sold will have a current negative EIA test record, and as required by State laws, a brand inspection and Certificate of Veterinary Inspection (health certificate).
4. Purchased animals will not be held at a facility for more than 24 hours after a sale is finalized.
5. Payment is due at the time of purchase. Acceptable forms of payment are cash, credit card, certified checks, money orders, and personal checks payable to BLM.
6. Except as otherwise required by law, all BLM employees will obtain authorization from the WO WH&B Sales Program Lead before disclosing, either orally or in writing, any

information from a Bill of Sale to anyone except Department of the Interior officers and employees who have a need for the information in the performance of their duties.

### **Wild Horse and Burro Program System Data Entry Requirements and Reports**

1. Adoption Event: Facility or field office personnel responsible for entering information into WHBPS are required to create an event for Satellite Adoption Events, National Internet Adoption Events, Facility Internet Adoption Events, and Facility Satellite Adoption Events within 30 days after the event. All events need to be finalized by the WH&B State Leads. The Wild Horse and Burro Program System (WHBPS) database is the official record of the number of events an animal has attended and the number of times an animal has been offered unsuccessfully for adoption.
2. Sale Information: The Bill of Sale form may be completed electronically or by hand. The required purchase information is to be entered in WHBPS within 7 business days after the sale is completed.
3. Animal Eligible for Sale Report: Available through the WHBPS system and can be run by Agency Admin State; or by Facility (includes LTH). This report lists current sale-eligible animals by freeze mark, signalment key, species, gender, age, and strike count.

### **Project Code and Sales Subactivity Codes**

1. Project Code: All labor and operational expenses associated with the sale of wild horses and burros will be coded to the WBS project code "LXSISALE0000." Labor and operational expenses to prepare animals for sale and conduct sales will be coded to program element "HI" and project code "LXSISALE0000."
2. Subactivity Codes: Funding generated by animal sales will be deposited to the 1061 subactivity. A subactivity code of 1062 has been established for the expenditure of monies received from sales.

### **Sale of Wild Horses or Burros to BLM Employees or Contractors**

Bureau employees, their immediate family members, and WH&B Program contractors will comply with all sale procedures established above, and the following:

1. Bureau employees, their immediate family members, and WH&B Program contractors will complete and sign an Application to Purchase Wild Horses and Burros and email it to [wildhorse@blm.gov](mailto:wildhorse@blm.gov), fax it to 202-912-7182, or hand-deliver it to a BLM short-term facility.
2. The Application to Purchase Wild Horses and Burros must be approved by the Authorized Officer in their State. If the BLM employee is the Authorized Officer for that office, that application must be approved by their supervisor. As part of the approval process, employees and contractors will be counseled on the applicable code of ethics

matters and ensure that no real or apparent use of position or public office for private gain will occur.

3. Bureau employees and contractors will purchase animals on their own time, and not while working as an employee or contractor and will participate in the same animal selection process available to the public.