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carcasses used in the production of pet food and fertilizer. They have been used for target practice and harassed for 'sport' and profit. In spite of public outrage, this bloody traffic continues unabated, and it is the firm belief of the committee that this senseless slaughter must be brought to an end. *Kleppe v. New Mexico*, 426 U.S. 529, 535-36, 96 S. Ct. 2285, 2290, 49 L. Ed. 2d 34 (1976) (citing S.Rep.No.92-242, pp. 1-2 (1971), U.S. Code Cong. & Admin.News 1971, p. 2149-50).

In passing the Act, Congress deemed the regulated animals "an integral part of the natural system of the public lands" and found that their management was necessary "for achievement of an ecological balance on the public lands." 16 U.S.C. § 1331; H.R.Conf.Rep.No.92-681, p. 5 (1971), U.S.Code Cong. & Admin.News 1971, p. 2159. Thus, the purpose of the Act is to protect the wild horses, not to force their death from starvation.

Accordingly, we demand that the Ochoco Forest withdraw Ranger Slater Turner's statement that individuals providing hay to horses facing starvation in winter will be criminally prosecuted and instead issue a statement that no such prosecution will occur. Until you do so, individuals, like Ms. Hunt, face the threat of criminal prosecution if they feed wild horses during this upcoming winter, and therefore they will do what it takes to enforce their rights to protect the wild horses while being free from criminal prosecution.

D. The Ochoco Forest's Position Is Particularly Troubling In Light of Its Refusal To Intervene And Provide Supplemental Feeding

In addition to being inhumane, your interpretation of the Act to mandate death by starvation of wild horses ignores your responsibilities under the Act and its regulations. If concerned citizens intervene, it is because the Ochoco Forest has failed to intervene in the first place to ensure "the *survival* of wild free-roaming horses and burros" (H.R.Conf.Rep.No.92-681, p. 5 (1971), U.S. Code Cong. & Admin.News 1971, p. 2159, emphasis added) and to prevent inhumane treatment, which is defined to include "allowing an animal to suffer from a lack of necessary food." 36 C.F.R. § 222.60. Given that the Ochoco Forest refuses to abide by its mandate and feed horses facing starvation in severe weather conditions, our clients must be permitted to do so.

As you know, the Forest Service Chief "may enter into agreements as he deems necessary to further the protection, management, and control of wild free-roaming horses and burros." 36 C.F.R. § 222.68. The Chief may also "authorize the use of non-Forest Service personnel to assist in specific situations of short duration." 36 C.F.R. § 222.72. In light of the Chief's authority, it is our hope that you will work with our client ALDF, along with Ms. Hunt and the Coalition (as you have done in the past), and commence a new Memorandum of Understanding, which allows the Coalition to provide practical assistance and support, including