Data Submitted (UTC 11): 4/8/2021 4:01:47 PM First name: Betty Last name: Nixon Organization:

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Comments: For the Administrative Record, I submit that if helicopters are to be used to aid in the capture of wild horses "or" if motor vehicles are to be used to transport them, a public meeting must be held in accordance with the Wild and Free-Roaming Horses and Burros Act which states under 1338a., "In administering this Act, the Secretary may use or contract for the use of helicopters or, for the purpose of transporting captured animal, motor vehicles. Such use shall be undertaken only after a public hearing and under the direct supervision of the Secretary or of a duly authorized official or employee of the Department." The BLM and Forest Service may write regulations and manuals that "support" the law (Public Law 92-195), but they may not write regulations or manuals that "usurp" the law. FSM 2200 does require that a public meeting be held far enough in advance of any planned capture operations that changes may be made if warranted based upon meeting input, and it states that the meeting needs to be held close to the area where the capture operations will occur. That is what should take place; however, FMS 2200 "combines" helicopter use "with" motor vehicle transport when it comes to holding a public meeting. The "Act" clear uses helicopter and motor vehicle use in terms of either/or. That violates the Act (law). Again, the BLM and FS may not write regulations and manuals that do not comply with a law passed by Congress. They must obey the law.