

## Bureau of Land Management, Interior

## § 4700.0-5

- 4750.3-2 Qualification standards for private maintenance.
- 4750.3-3 Supporting information and certification for private maintenance of more than 4 wild horses or burros.
- 4750.3-4 Approval or disapproval of applications.
- 4750.4 Private maintenance of wild horses and burros.
- 4750.4-1 Private Maintenance and Care Agreement.
- 4750.4-2 Adoption fee.
- 4750.4-3 Request to terminate Private Maintenance and Care Agreement.
- 4750.4-4 Replacement animals.
- 4750.5 Application for title to wild horses and burros.

### Subpart 4760—Compliance

- 4760.1 Compliance with the Private Maintenance and Care Agreement.

### Subpart 4770—Prohibited Acts, Administrative Remedies, and Penalties

- 4770.1 Prohibited acts.
- 4770.2 Civil penalties.
- 4770.3 Administrative remedies.
- 4770.4 Arrest.
- 4770.5 Criminal penalties.

AUTHORITY: 16 U.S.C. 1331-1340; 18 U.S.C. 47; 43 U.S.C. 315 and 1740.

SOURCE: 51 FR 7414, Mar. 3, 1986, unless otherwise noted.

### Subpart 4700—General

#### § 4700.0-1 Purpose.

The purpose of these regulations is to implement the laws relating to the protection, management, and control of wild horses and burros under the administration of the Bureau of Land Management.

#### § 4700.0-2 Objectives.

The objectives of these regulations are management of wild horses and burros as an integral part of the natural system of the public lands under the principle of multiple use; protection of wild horses and burros from unauthorized capture, branding, harassment or death; and humane care and treatment of wild horses and burros.

#### § 4700.0-3 Authority.

The Act of September 8, 1959 (18 U.S.C. 47); the Act of December 15, 1971, as amended (16 U.S.C. 1331-1340); the Federal Land Policy and Management

Act of 1976 (43 U.S.C. 1711, 1712, and 1734); the Act of June 28, 1934, as amended (43 U.S.C. 315); and the National Environmental Policy Act of 1969 (42 U.S.C. 4321, 4331-4335, and 4341-4347).

#### § 4700.0-5 Definitions.

As used in this part, the term:

(a) *Act* means the Act of December 15, 1971, as amended (16 U.S.C. 1331-1340), commonly referred to as the Wild Free-Roaming Horse and Burro Act.

(b) *Authorized officer* means any employee of the Bureau of Land Management to whom has been delegated the authority to perform the duties described herein.

(c) *Commercial exploitation* means 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. Use as saddle or pack stock and other uses that require domestication of the animal are not commercial exploitation of the animals because of their characteristics of wildness.

(d) *Herd area* means the geographic area identified as having been used by a herd as its habitat in 1971.

(e) *Humane treatment* means handling compatible with animal husbandry practices accepted in the veterinary community, without causing unnecessary stress or suffering to a wild horse or burro.

(f) *Inhumane treatment* means any intentional or negligent action or failure to act that causes stress, injury, or undue suffering to a wild horse or burro and is not compatible with animal husbandry practices accepted in the veterinary community.

(g) *Lame wild horse or burro* means a wild horse or burro with one or more malfunctioning limbs that permanently impair its freedom of movement.

(h) *Old wild horse or burro* means a wild horse or burro characterized because of age by its physical deterioration and inability to fend for itself, suffering, or closeness to death.