



Wild Horse Education

Comprehensive Animal Welfare Program Team Assessment Report

Addressing Programmatic Changes Needed For CAWP Success

Dated: September 30, 2022

Each program that exists under the Bureau of Land Management (BLM) has parameters and powers authorized by the Secretary of Interior to comply with existing law and limitations.

The current Comprehensive Animal Welfare Program (CAWP) was created under pressure from the public and intense legal scrutiny. CAWP essentially exists today as a series of guidelines to reduce injury and death to wild horses and burros in the care of the agency: a set of Standard Operating Procedures (SOP) that serve as guidelines for utilization by personnel to comply with existing law.

This program was formalized in the fall of 2015 (beginning of fiscal 2016) and has gone without review, revision or consequence for violations.

In 2021, the BLM began to do extremely limited on-site visits to assess capture operations and facilities. The assessment process remains vague, inconsistent and several CAWP team members are employed by BLM providing services that involve the conduct being assessed (conflict of interest).

The lack of revision and consequences for violations, along with repetitive conduct documented during capture operations and in holding facilities, has rapidly diminished public trust in any assertion that BLM is committed to the welfare of wild horses.

There are multiple factors inhibiting progress of the CAWP. The recommendations contained in this document are intended to improve the program and increase public trust.

Suggested Programmatic Changes

Public Participation

The BLM website for the Wild Horse and Burro Program contains a section devoted to CAWP: policy and reports are published on this page.

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WHE recommends that the CAWP page contain a portal specifically for the public to provide documentation related to suspected CAWP violations (and concerns specifically addressing helicopter drive trapping, bait trapping and facilities). These concerns are distinct from the concerns of the public over wild horses/burros landing in kill pens, requests to find information on brands, general questions related to the program, and require a distinct portal to allow public participation. The BLM CAWP team is generally only on-site for an acutely limited amount of time and significant events are often missing from CAWP assessments. At present, the only individuals a member of the public can address are the individuals involved in the conduct they wish to report (BLM COR/IC onsite) and when those issues are addressed, the environment can turn hostile.

Motorized Vehicle Hearings are required in order to comply with Section 404 of the Federal Land Policy and Management Act (FLPMA, 1976). There was a huge concern that the abuse demonstrated by mustanging (the conduct the 1959 “Wild Horse Annie” law prohibited) involving the use of motorized vehicles and aircraft. FLPMA reinstated the use of aircraft. The hearing on the use of those mechanisms was intended to address concerns regarding (expected) abuses.

Today, the hearing has become a meaningless fifteen minutes of BLM explaining how they use motorized vehicles. Following a BLM slideshow, a 3 hour public comment period (divided into 3-minute segments). During these “hearings” the BLM *does not*: answer questions, respond to public comment, provide a written summary, create policy changes. In other words, these hearings are a waste of time and money.

Public concerns surrounding abuse of wild horses have changed since 1976 (FLPMA) and revolve around the parameters that are now covered under CAWP.

WHE recommends that these hearings become a meaningful portal for BLM to address public concerns. Expanding the hearing to: “Hearing to address concerns involving the use of motorized vehicles and the Comprehensive Animal Welfare Program.” A written summary of the hearing and response to the public should be provided within 90 days.

Transparency

The BLM website for the Wild Horse and Burro Program contains “Daily Gather Updates.” These pages lack any detailed information and consist of essentially nothing more than the number of animals captured and shipped for the day. These pages also list horses euthanized, but include no information

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on when the animal was captured or where the incident occurred. No information is provided to the public on wild horses/burros once shipped.

WHE recommends adding information to the “Gather Update” pages that include vet reports for the “gather.” Update pages should also include a daily processing facility intake log (received from temporary corrals) and vet reports from the facility for 30 days post capture. This effort at transparency will increase public trust and cut down on Freedom of Information Act (FOIA) requests.

Public access to gather activities and holding facilities is a vital part of public involvement. When facilities that process (brand, vaccinate) wild horses after capture are closed to the public it generates distrust from the public. Processing facilities have been routinely open to the public. Over the last decade the agency has been approving private facilities and not requiring regular public visiting hours.

WHE recommends that BLM add (at minimum) one day a week for public visitation to all facilities to encourage adoptions and allow for public assessment of conditions at these facilities. Taxpayer funding is used to pay for facility contracts. Requiring regular public access to those facilities into the contracts should be required.

Enforcement

The Secretary has the authority to craft regulations and internal policy deemed necessary for the furtherance of the purposes of the 1971 Act. Humanely managing, capturing and housing wild horses and burros is a main tenet of the law.

CAWP personnel should be granted the power to override the COR on-site and halt capture operations to rectify any CAWP related issue that presents an immediate danger to wild horses/burros.

If an incident occurs while the BLM CAWP team is not present, a report from the COR related to any incident should be mandatory for amendment to any published CAWP review. The CAWP team recently stated that the COR/IC does an internal review post operation. That document is referenced as an After Action Review (AAR) in SOP. Through Freedom of Information Act (FOIA) requests, WHE has found in over 90% of cases, BLM fails to do any AAR.

The Secretary has authority to establish a system of consequence that can be added to contracts for helicopter drive trapping, bait trapping and facilities. Compliance to CAWP protocols can be a required condition for full release of contract funding, or that repeat offenses create a diminished return and/or non-renewal of contract opportunity.

Employees that serve as COR where conditions fail CAWP standards should have that record included in the employees performance reviews that should impact advancement and raises.

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Some form of consequence that includes ramifications to career advancement/financial implications should be established and disclosed to the public. If there is no consequence for violation of the SOP, the SOP has no meaning.

There must be a standard of consequence for violating the policy beyond simply “an attempt to rectify the” non-compliance with a standard. If training is sufficient, non-compliance would not occur. Repeat offenses would not occur.

Without consequence, the CAWP policy operates as a list of repeatedly violated SOPs, nothing more.