

## Letter From Montana



Wild horses in the Sandwash Basin of northwestern Colorado gallop during a roundup on September 30, 2005. *Photograph by John Kelly.*

## Galloping Scared

**Before 1971, when Velma "Wild Horse Annie" Johnston won her crusade to save the country's wild horses, they were being trapped in brutal airplane roundups, slaughtered, and sold as steaks overseas. Now Republican Montana senator Conrad Burns, through a bill signed by President Bush, has gutted the 35-year-old law protecting these cherished symbols of the American West.**

**by Kurt Brungardt November 2006**

Exhausted and terrified, a herd of wild mustangs gallop around the side of the mountain, miraculously managing to skirt the treacherous prairie-dog holes and deep crevices as they try to escape the screaming, whirling predator on their tail. Their instincts tell them they can out-run most any animal, but this one is relentless.

You wish a director would yell "Cut," and the horses would be led to a plush Hollywood stable for rest, food, and water. But it's not a movie, and the pilot flying the helicopter is not an actor. He works for a government program to round up wild horses from public lands. The target horses this week are from the Sandwash Basin herd, in northwestern Colorado.

As the horses hit a straightaway at full stride, a camouflaged fence gradually funnels them into a trap. Close to the neck of the trap, the roundup crew releases a "Judas horse," which runs to the front of the pack and leads the mustangs directly into a tiny corral. Once inside, the horses screech to a stop, piling up on top of one another as dust flies, the gate slams, and the helicopter pulls away to go back for more horses. When the crew is finished, a few of the horses will be released back onto the range, some will be put up for adoption, but most will be relocated to government holding facilities, and a large number

will be eligible to be sold to slaughterhouses, thanks to Senator Conrad Burns (Republican, Montana).



Senator Conrad Burns last year.

*Photograph by Matthew Minnard/Las Vegas Sun/AP Images.*

In 1971, Congress passed a law that banned the inhumane treatment of wild horses and put safeguards into place so they couldn't be sold for slaughter. That law was the result of a two-decades-long crusade by Velma Johnston, better known as "Wild Horse Annie." But in December 2004 that law was gutted. Just days before the Thanksgiving holiday recess, when most of Washington was getting ready to leave for the long weekend, Senator Burns put the final touches on his rider No. 142, which removed all protections for wild horses (and burros) that were over the age of 10 or had been offered unsuccessfully for adoption three times. Such animals could now be sold "without limitation, including through auction to the highest bidder, at local sale yards or other convenient livestock selling facilities." Burns inserted his one-page rider into a 3,300-page budget-appropriations bill on the eve of the bill's congressional deadline, and there would be no opportunity for either public or legislative debate.

The following week rider No. 142 was uncovered, thanks in part to a tip from the Government Printing Office. Animal advocates and politicians from both major parties were outraged. Representative Ed Whitfield, a Republican from western Kentucky, observed, "The thing that is so damaging about this Conrad Burns amendment is that he passed it on an appropriations bill that no one knew about... It is precisely the way the legislative process should not work. I don't know his motivations, but more than likely he was protecting the ranchers who have leased those lands [for cattle and sheep grazing]."

Despite protests, President Bush, who likes to borrow the imagery and ethos of the American cowboy (and whom Burns once praised as having "earned his spurs"), signed the rider into law, capping a series of policy moves at the Bureau of Land Management (B.L.M.), the government agency in charge of managing the horses, that have sought to diminish the protected status of these "living symbols of the historic and pioneer spirit of the West," as the 1971 law called them.

The rider caused such anger that in May 2005 the House of Representatives overwhelmingly passed a bipartisan bill to restore the original intent of the 1971 law. A similar amendment in the Senate had to make one stop before its confirmation vote: the appropriations subcommittee for the Department of the Interior, which has jurisdiction over all federal lands and the National Park Service. Burns is chairman

of that committee. Proving again that one man can make a difference, he blocked the amendment from going to vote.

The B.L.M., part of the Department of the Interior, is responsible for administering America's 261 million acres of public land. Historically, it has worked closely with ranchers and other commercial interests, such as gas and oil, coal, and timber, in the management and use of these lands. Overseeing the wild horses is one, small part of what the bureau does, but to the general public, which has an emotional attachment to them, it is one of its most important responsibilities. Celebrated in film, literature, and our nation's history, the mustangs helped Lewis and Clark complete their historic expedition, and during the opening of the frontier, they pulled plows, delivered mail, and carried soldiers in battle.

Senator Robert Byrd (Democrat, West Virginia) summed up the feelings of many when, in his speech to overturn the Burns rider, he criticized the B.L.M.'s management of the wild horses. "Surely there are actions that can be taken by the BLM to ensure the proper operation of the wild horse and burro program without resorting to the slaughter of these animals."

### **Horse Whisperers**

When you drive up the dirt road to Karen Sussman's double-wide trailer, in South Dakota, you are greeted by two dogs, 12 cats, and the 300 mustangs that roam her 680 acres. Sussman meets you at the door, and the first thing she asks is "Have you eaten?"

An intern who worked for Sussman once called her "the mother of all living things." But she is no pushover. As president of the 750-member International Society for the Protection of Mustangs and Burros, Sussman, 59, is a fiery activist who also works part-time as a nurse, in Eagle Butte, South Dakota, for the Indian Health Service. Small and energetic, with short hair that stays in place when she moves, she looks like a former gymnast and seems always ready to jump to the next task. Her home is packed with the late Wild Horse Annie's personal items, making it a kind of unofficial museum—she even has Annie's saddle resting on a sawhorse.

Sussman, who never knew Annie personally, grew up in rural Pennsylvania. In 1981, she adopted her first horse and began volunteering for Annie's organization. She became president of it in 1989, and both president and executive director in 1993. During these years, she worked closely with Helen Reilly, who was Annie's good friend and personal secretary. (Reilly passed away in 1993.) Sussman knows Annie's story inside out, and so, at one time, did many other people. By the time her 1971 law passed, Annie had been featured in countless newspaper articles, on national television, and in popular magazines as diverse as *Reader's Digest* and *Esquire*.

At age 11, while living outside Reno, Annie contracted a severe case of polio and underwent an experimental operation, after which she was hospitalized in a body cast for nearly nine months. A bright spot in her day was looking at a large painting of mustangs entitled *Roaming Free*, which hung in the hospital hallway. "I studied it with all my senses. I could just feel what it was like out there, winging along with the herd," Annie wrote.

When Annie's cast was removed, it turned out the constricting plaster, which covered much of her neck and head, had not allowed space for her face to develop evenly, and while she would grow to a height of five feet seven inches, she was twisted out of alignment by the polio. Annie's disfigurements proved to be traumatic. Kids taunted her, so she retreated into her studies, wrote poetry, drew, and helped her father take care of the animals on their ranch. Her best friend was a rodeo horse named Hobo, which her father had given her when she got out of the hospital.

"Then there's her most famous story," Sussman says, "the one that changed her life." On a beautiful morning in 1950, Annie was driving to her secretarial job in Reno when she approached a truck pulling a livestock trailer—a common sight. As she pulled closer, she saw blood dripping out of the trailer. Through the wooden slats she saw it was jam-packed—not with cattle, but with horses. Trampled under their feet was a young foal, no more than a few months old.

When the truck turned off the highway onto a dirt road, Annie followed it. Its destination was a slaughterhouse that processed horsemeat for pet food. The truck parked next to a holding pen, and a man unlocked the trailer gate. As the gate swung open, a tight pack of mustangs untangled and scrambled to get out, falling over the trailer's edge, landing on top of one another, fighting to get to their feet, running into the holding pen.

The horses were battered and bloody. Most had wide swaths of flesh torn from their sides, which were oozing blood. Annie would later learn that such wounds were inflicted when the horses were roped, pulled off their feet, then dragged up a ramp into the cattle trailer. Many were spotted red from shotgun blasts fired by wranglers in planes. Still in the trailer was the foal, trampled to death. Annie gasped and leaned forward, sick to her stomach.

She received the nickname "Wild Horse Annie" a few years later, as her reputation as a mustang advocate grew. In Carson City, Nevada, she entered a packed room in the state-senate building to speak before a committee about banning the airplane roundup of wild horses. As she walked down an aisle, a local rancher, in an attempt to ridicule her, said in a loud voice, "Well, if it isn't Wild Horse Annie." The press in the room picked up the nickname, and in a genius public-relations move, Annie adopted it. As a result of her activism, "Annie faced regular death threats," Sussman says, "and answered the door at her ranch outside Reno—the Double Lazy Heart—with a pistol behind her back."

Before she faced the U.S. Senate, in 1971, Annie orchestrated one of the largest letter-writing campaigns in U.S. history, and Congress was flooded with letters, many written by children and teenagers, on behalf of the horses. Widespread, unregulated commercial exploitation had brought the mustang numbers from two million in the early 1900s to fewer than 18,000 in 1971. Arthur Miller and John Huston's 1961 film, *The Misfits*, depicted the increasing desperation of the down-and-out cowboys who trafficked in the few remaining wild horses.

The Wild Free-Roaming Horses and Burros Act passed both houses of Congress unanimously. It protected the mustangs "from capture, branding, harassment, or death." The B.L.M. was the main agency assigned to enforce this law.

Annie died of cancer at age 65 on June 27, 1977, but Sussman and others continue her work, which they believe is far from over. "The B.L.M. has consistently exploited the intent of the law," says Sussman. "They have constantly chipped away at key provisions. The horses on my ranch come from two herds—one of which comes from the B.L.M.—that were zeroed out. The total land that was set aside for mustangs in the 1971 law has been reduced by over 10 million acres."

Sussman, like many wild-horse advocates, thinks that the mustangs, under the stewardship of the B.L.M., could one day reach numbers so low that their ability to survive in the wild would be at risk.

### **Slaughterhouse Blues**

By the late 70s the population of wild horses had increased to 44,000, and changes were made to the 1971 law, adding provisions for "excess animals" to be removed from the range—the excess to be determined by the secretary of the interior when he saw a threat to "a thriving natural ecological

balance and multiple-use relationship in that area [i.e., ranching]." A 1976 amendment to the law allowed for mechanized roundups (helicopters and trucks), and roundup numbers began to increase dramatically. More revisions in 1978 allowed for old, sick, and lame animals "to be destroyed in the most humane manner possible," a measure Annie supported, according to Sussman. "Annie wanted to create an airtight bill, and she foresaw population problems in the future," she says. "She wanted to deal with such problems on the range and to avoid the roundups and slaughterhouse horrors." The 1978 revisions also specified how the horse-adoption program should dispose of healthy excess animals: "qualified individuals" were allowed to adopt no more than four horses each (for which the B.L.M. charged a fee of \$25 a horse). After proving they had treated the animals humanely for one year, the new owners were given title. The four-horse limit and one-year probationary period were intended to eliminate the economic incentive for ranchers to take large numbers of horses to sell to slaughterhouses.

Thanks to former Nevada Republican senator Paul Laxalt, however, a loophole big enough to drive a truck through—one straight to the slaughterhouse—was also included in the revisions. It stated that wild horses and burros would lose their protected status once the new owner received title. The implications of this became all too clear after Ronald Reagan installed the pro-ranching-and-mining James Watt and later the lesser-known but like-minded William P. Clark and Donald Hodel as secretaries of the interior. In 1984 the B.L.M. instituted a fee-waiver program, whereby most anyone willing to take at least 100 wild horses would get them for free, and from 1985 to 1987, after Congress appropriated \$51 million for roundups (thanks mostly to Republican senator James McClure, of Idaho), the B.L.M. began enthusiastically removing wild horses from the range—around 40,000 between 1984 and 1987.

Journalist Tad Bartimus, in an article for the Associated Press, revealed how ranchers and the B.L.M. had gotten around the four-horse adoption limit: dozens of individuals would adopt four horses each, then give the ranchers power of attorney. Bartimus quoted a Montana rancher who had gotten 1,100 horses this way, which he planned to sell to the slaughter house. The rancher said, "We have powers of attorney from people in Arizona, California, Texas and Montana. Of course, they went to slaughter. Everybody knows what's happening, but nobody will admit it."

According to a 1990 report by the G.A.O. (the General Accounting Office, now the Government Accountability Office, which does independent, nonpartisan reports at the request of Congress), 20,000 wild horses were placed with "79 individuals and 4 Native American tribes.... We found that hundreds of these horses died of starvation and dehydration during the 1-year probation period and that many adopters, primarily ranchers and farmers ... sold thousands more to slaughter after obtaining title from BLM." The G.A.O. report concluded, "By its very design the fee-waiver program was a prescription for commercial exploitation of wild horses."

The Animal Protection Institute of America and the Fund for Animals took the B.L.M. to court in response to such abuses, and in 1988 a federal judge ruled that the B.L.M. could not issue a title if it knew the adopter intended to sell an animal to slaughter. This terminated the fee-waiver program.

But in the 1990s abuses under the adoption program were still being reported, becoming more of an internal B.L.M. issue. In a series of articles for the A.P., published in the mid-1990s, Martha Mendoza documented how the B.L.M. had falsified records used to identify and track horses, and how bureau officials were selling horses to slaughter after enlisting their friends and relatives to adopt them to circumvent the four-horse-per-person limit.

In 1997, to address these abuses, President Clinton's B.L.M. announced additional regulations to

protect the horses, including checking with adopters and spot-checking slaughterhouses. Buyers now had to sign an affidavit ensuring they had no intent to sell the horses for slaughter or processing. Under the Bush administration things would again take a turn for the worse.

### **An American Classic**

The mustang is a relatively small and sturdy horse, measuring close to five feet (15 hands) high and weighing on average 900 pounds. Its chest looks narrow from the front but deep in profile, more substantial than an Arabian's but not as bulky as a quarter horse's. Its legs spread out from its body in a distinctive slight "A" shape. Mustangs come in all colors, from black to brown to dun to cream, some red dish, some bluish, and in many these are mixed with whites and grays to produce roans, speckles, paints, and other patterns.

One of the best places to observe mustangs in their natural habitat is the Pryor Mountains, in Senator Burns's home state of Montana. And one of the best guides to take you through this territory and teach you about mustangs is documentary-film maker Ginger Kathrens. Kathrens is a rock star in the wild-horse world. Driven and tough, she lets out frequent sparks of good humor. You'd never want to get on her bad side, though, or she would stare you down with her intense blue eyes. For her PBS series, which began in 2001 with *Cloud: Wild Stallion of the Rockies*, Kathrens is filming Cloud, a majestic white mustang stallion. She has followed him for more than 10 years, from his birth. Now he is lead stallion of his own family.

The Pryor Mountains are rugged and beautiful, filled with steep canyons and expansive valleys. The Big Horn Canyon cuts across the plains as far as the eye can see. To film the latest installment in Cloud's life, Kathrens treks on foot to find him. She is loaded down with gear: an Arriflex Super 16-mm. film camera, a large Canon digital video camera, a heavy tripod, a Nikon 35-mm. still camera, and binoculars. Pointing to a tree-filled valley that leads to the main watering hole, she looks through her binoculars, and a smile breaks across her face. "There's Cloud," she says. "He's making his way to the watering hole."

"The lead mare chooses when and where to feed and water," Kathrens explains. Cloud waits on top of a low hill just above the water hole. "Cloud typically takes the rearguard position to make sure it is safe for everyone else before he goes down to water." She checks the view through her telephoto lens as she explains the makeup of a family band: a stallion, a lead mare, plus several other mares, and all of their offspring under three. Usually, when the stallions are two years old, the lead stallion kicks them out and they join a bachelor band.

"Made up of horses ranging in age from two and up, the bachelor bands serve an important role in wild-horse society," says Kathrens. "The bachelors join up with one another for protection and social activities. They don't have family responsibilities, so they can hang out and cause mischief. The younger bachelors spar with the older ones to hone their fighting skills. A bachelor's ultimate goal is to steal a mare and start his own family."

"He's still letting Flint stay around," observes Kathrens. Flint is Cloud's four-year-old stepson. "When they stick around this long, we call them 'lieutenants.' They help protect the band and scare away the bachelors. Cloud has always liked Flint."

Other family bands arrive at the top of the hill above the water hole. They wait until Cloud's family is done. Kathrens's camera rolls as Cloud and his family drink and play, then head off. The next family band comes down.

"The hierarchy among the families is determined by the status of the stallion," Kathrens explains. Each new group drinks for about five minutes and moves on. Then the next family comes down. The process works in a peaceful and orderly way.

As the sun sets, Kathrens packs up and begins to hike back to camp. "This area is primarily the herd's summer area. To protect the health of the range the B.L.M. wants to lower the numbers of the Pryor herd from 153 horses to 95. When the B.L.M. originally determined the size of this range area, they didn't take into account the historic use area of the herd, which is far larger than the designated range. We're trying to get the herd area increased to include the horses' historic range, which they're legally entitled to in the 1971 Wild Horses and Burros Act. Increasing the size to include this land would keep the herds at a healthy number. The numbers are already so low that the health and future of the herd is in danger." (The B.L.M. says it did incorporate the historic use area of the herds.)

Kathrens points to the research of Dr. Gus Cothran, a leader in the field of equine-population genetics at the University of Kentucky. He uses DNA analysis to study wild horses. His research concludes that for long-term health and survival of the herds a minimum size needs to be between 150 and 200 horses. Otherwise, interbreeding will create genetic weaknesses, leading to serious health problems. More than 70 percent of the herds the B.L.M. manages fall below Cothran's minimum number. (The B.L.M. maintains that these numbers are high. They are monitoring genetic diversity in the herds, and they say that "at present, there is no immediate cause for concern about inbreeding.")

## **Turf Wars**

In 2001, President Bush appointed Kathleen Clarke as director of the B.L.M. Before that she had served as executive director of Utah's Department of Natural Resources, where she built a reputation for favoring mining and drilling interests. At the B.L.M. she has been at the center of controversy. According to sworn testimony by the public-lands chairman of the Utah Cattlemen's Association, she encouraged ranchers to sue her own agency, after having failed in an effort to prevent Interior from issuing grazing permits to a conservation group. (At the time, Clarke denied she did anything inappropriate.) The Bush administration has rounded up wild horses at a record-setting pace, including more than 50,000 under Clarke's aegis.

The Department of Interior building, on Washington's C Street, is a stone monument to permanency and power, one of the first buildings constructed by the Public Works Administration during the Depression. As you walk down the wide main corridor, with its high ceiling, you feel safe, but small. In a back office of this landmark building, sitting around a table, Tom Dyer, until recently the B.L.M.'s deputy assistant director of renewable resources and planning, Dean Bolstad, its wild-horse-and-burro-operations lead, and Tom Gorey, a B.L.M. spokesperson, look at the numbers on their chart. They are confused. They have just applied their own formula to calculate the wild-horse population. The calculations don't match their official census sheet. "These numbers have always been a little confusing," Bolstad says. The current census numbers for 2006 seem disproportionately high, estimating 9,000 more horses on the range than their formula could account for.

Gorey says, "We think our count is accurate. It is an estimate; we can't say it is the literally correct number."

When asked its position on the Burns rider, Gorey says, "The B.L.M. has not taken a stand on the Burns rider. We see it as another management tool." Horse advocates say this is merely added proof, as if any were needed, that the B.L.M. is more or less in cahoots with Burns. "They [at the B.L.M.] are not upset that one man, Burns, covertly set the horses up for slaughter," says Chris Heyde, a deputy legislative director for the Society for Animal Protective Legislation, located in Alexandria, Virginia.

A big question is why Senator Burns has inserted himself so prominently into the wild-horse controversy when the issue is not even an important one in his state. The only wild horses in Montana are the 153 mustangs at the Pryor mountain range, and they're a tourist attraction. (Of the approximately 31,000 wild horses counted in the B.L.M.'s 2006 herd-area data were 13,384 in Nevada, 3,166 in California, 4,615 in Wyoming, 2,545 in Utah, and 2,113 in Oregon.) The senator has given several reasons. They include to prevent the horses from starving on the range, to protect the health of the range, to push the B.L.M. to get serious about its adoption program, and to cut the costs of boarding horses in holding facilities. Critics claim that these issues are already addressed by the law.

Burns grew up on a farm in Missouri, and as a young man he moved to Montana, where he sold ads for a livestock magazine and worked as a livestock auctioneer. In this world, horses are bought and sold like cattle. What do you do with old and lame horses? You sell them to a slaughterhouse to recoup a little money. It is just business as usual. Burns once explained to a journalist, "I'm in the livestock business, and I've bought and sold horses my whole life. Basically, the marketplace works."

The ranchers believe they should be the ones to control the use of their leased public lands. In many cases, they have worked these public plots for generations and regard them as their own. They see the wild horses merely as pests, consuming food and water that are meant for their livestock and tearing up fences. Steve Raftopoulos, a rancher in northwestern Colorado, faces the daily challenges of running livestock on public land. He grazes sheep in the Sandwash Basin with the wild horses. His family has been ranching in the area since 1934. "What it comes down to is proper management of the range," he says. "In managing anything you have to have flexibility. We can control how much livestock we are going to put on a range area. We have no control over the wild horses, no matter what the range condition is. Horses can really tear it up. I'm dependent on the B.L.M."

Raftopoulos speaks with clear determination. He is suspicious of reporters and environmentalists, but once he gets talking about public-land issues he doesn't slow down. "Everyone is caught up in the emotion of this, and they can't look at it logically. When the range is in great shape and the rain falls when it's supposed to, the horses and the livestock can coexist. But when there's drought, the range can be permanently damaged. Right now we have drought. And now the government wants to make it illegal to slaughter horses. This leaves no management flexibility, except to just let the horses die in an expensive government holding facility."

In the basement of the Forest Service office in Red Lodge, Montana, range specialist Wayne Burleson pulls down a projection screen and then turns off the lights. Burleson, 64, has studied the eating behavior of cattle and horses for more than 20 years, photographing and documenting their habits. He clicks through his slide show, illustrating how the eating tendencies of each animal impact the range. "The truth is they're both right," he says. "A cow can destroy the range and so can a horse. A horse can pinch out the whole grass plant with its teeth, and the cow can wrap his long tongue around a plant and pull it out. Any animal will overgraze if he doesn't have enough territory to graze or isn't properly managed."

To evaluate the impact of grazing on public land, consideration needs also to be given to big game (elk, deer, antelope). Most calculations estimate that more than four million head of livestock and three million big-game animals graze on public land. This means that wild horses account for less than one-half of 1 percent of the large animals grazing on public land. The most comprehensive independent study of this issue, done in 1990 by the G.A.O., states, "Wild horses are so vastly outnumbered on federal rangelands by domestic livestock. Even substantial reduction in wild horse populations will, therefore, not substantially reduce total forage consumption." The G.A.O. report also states, "BLM could not provide [the General Accounting Office] with any information demonstrating that federal

rangeland conditions have significantly improved because of wild horse removals." The study concluded, "The primary cause of the degradation in rangeland resources is poorly managed domestic livestock (primarily cattle and sheep) grazing."

Senator Burns refused to meet with *V.F.* to discuss his rider, but Chris Heggem, Burns's point person on this issue, says, "He did it because other people asked him to." Senator Burns has a history of being sensitive to the needs of those who donate large amounts of money to his campaign. Convicted lobbyist Jack Abramoff, who arranged for, by some estimates, close to \$150,000 to go to Burns, told *V.F.*'s David Margolick, "Every appropriation we wanted [from Senator Conrad Burns's committee] we got." From 2001 to 2006, the senator received \$380,512 from agribusiness, which includes the livestock industry. He receives more money—\$69,800 so far for his 2006 re-election bid—from livestock interests than all but one senator, Texas Republican Henry Bonilla.

In *Slate* magazine, Deanne Stillman theorized that Montana rancher Merle Edsall may have been instrumental in getting Burns to act, because "the language in the Burns rider was the exact same wording floated by Edsall at a meeting of the BLM's Wild Horse and Burro Advisory Board." Edsall denies this connection to Burns. He says he wanted to take 10,000 wild horses in order to create a tourist-attraction sanctuary in Mexico. He claims that the White House and the B.L.M. wanted to privatize the wild-horse program, to which the B.L.M.'s Gorey responds, "We did receive a proposal, and we turned it down." Edsall explains, "I had a three-part plan. Part one was to give the Wild Horse and Burro Advisory Board authority over the wild-horse program. Part two was the sale authority. You have to have a threat before you solve a problem. The sale authority would allow the horses to go to slaughter. [I thought], People will go through the roof, and they did. But don't make a threat without a solution. Part three was the solution: Mexico and giving the horses to 501(c) nonprofits."

### **They Shoot Horses, Don't They?**

Last February the B.L.M. initiated a program similar to the Reagan-era fee waiver. For the mustangs that have lost protections because of the Burns rider, it makes the adoption fee "negotiable," and drops both the one-year probationary period and the limit of four horses going to one person in any one-year period. In a letter of February 21, 2006, Clarke appealed to 15,000 ranchers with B.L.M. grazing permits to take the horses. Thanks to the Burns rider no one will be able to stop the program with a lawsuit this time. Now the B.L.M. will deliver loads of 20 or more horses free of charge to any destination. Although recipients of these horses have to sign an agreement that they do not intend to send the horses to slaughter, wild-horse activists doubt the B.L.M. will do much checking up to see that the ranchers are keeping their word. (Gorey says the B.L.M. has compliance guidelines that range from inspections to phone check-ins.)

The rationale for the fee-reduction program, as it was the last time, is to save money by removing horses from government holding facilities. But Chris Heyde says, "If the B.L.M. and the administration want to talk about money, they should look at their grazing program. According to the government's latest G.A.O. study, in 2004 the grazing program lost almost \$115 million a year. The ranchers pay a nominal fee of \$1.56 a month for each cow-and-calf pair to graze. The free-market rate for ranchers to lease the same amount of private land to graze their cattle is a little over \$13 a month. It's a giveaway.

"This does not include the million spent each year on behalf of ranchers for predator control, to kill coyotes, foxes, and mountain lions to protect cattle and sheep," he adds. "These are the animals that would naturally help control wild-horse population. All of this when less than 3 percent of America's beef is raised on federal rangelands. And economically, livestock grazing on federal land produces only a tiny percentage of income in western states, between 1 and 3 percent. The irony is that most of the

land is leased to millionaires."

He is referring to a nine-month investigation in 1999 by the *San Jose Mercury News*, which revealed that the top 10 percent of those holding grazing permits control 65 percent of all livestock on B.L.M. land. One of the largest livestock lessees of B.L.M. land is a company founded by one of the richest men in America, John Simplot, who is worth an estimated \$2.3 billion. He lives in Boise, Idaho, and supplies half of McDonald's French fries. Other major holders of government grazing leases include the Hilton Family Trust.

Heyde and other advocates outline their solutions. Give the wild horses back all their original acreage and herd areas. Keep herd sizes large enough to maintain the future health of the herds. If the range is in crisis, support the horses with water and hay. Manage the herd areas principally for mustangs, not sheep and cattle. Keep roundup and adoptions in sync. "Just enforce and follow through on the legal guidelines of the 1971 law. After all, it is a law," Heyde says.

On September 7, 2006, the House of Representatives voted 263 to 146 in favor of a bill sponsored by John Sweeney, a New York Republican, and Ed Whitfield, a Kentucky Republican, to ban the slaughter of horses for human consumption. There are currently three horse slaughterhouses in the U.S., one in Illinois, and two in Texas. They sell horsemeat primarily to Europe and Japan, where it is regarded as a delicacy. Chris Heyde has been inside a slaughterhouse, and he has been to horse auctions. "The majority of horses are not sold to slaughter by their owners," Heyde says, "but instead arrive via livestock auction, where 'killer buyers' purchase them. Owners are often unaware of their ultimate fate. And most of the horses are not old and lame. They are healthy racehorses, riding-school and show horses, stolen horses, and federally protected wild horses." Horse advocates are hopeful the anti-slaughter bill will pass the Senate and become law.

In Washington, D.C., the politicians fight. In South Dakota, Karen Sussman faces the daily challenges of managing her mustang herd. This morning an old mustang with a surgically repaired leg has fallen in her stall. This is a life-threatening situation for a horse. Sussman made a deal with this old mustang. "As long as she has the will to live, I'll stick by her." She is not sure if Janie Grayce, named after the two donors who paid for her surgery, wants to go on or give up.

With the help of Denny, a part-time worker from the Lakota tribe, Sussman has rigged a series of ropes to help lift the horse to her feet. She talks to the old mustang. "You tell me what you want to do." Sussman has been dreading this moment. But she is prepared to put the mare down if she won't fight to get up. "It is going to happen one day," she says. Janie Grayce lies motionless on her side with each attempt to raise her.

"Let's give her one last try," Sussman says as they pull the rope taut around the horse's body. The mare's eyes brighten. She begins to struggle, kicking her legs, trying to fight to her feet—suddenly she's up. A little unsteady, but she's up.

"Good girl. Good girl," Sussman says, petting her. Janie Grayce lets out a whinny, as if she's saying thanks. "She's a tough old mustang. She wasn't ready to go," says Sussman.

**Kurt Brungardt** is a writer and personal trainer in New York.