

## *National Tribal Horse Coalition*



June 16, 2023

The Honorable Debbie Stabenow  
Chairwoman  
Committee on Agriculture, Nutrition, and Forestry  
United States Senate  
Washington, D.C. 20510

The Honorable John Boozman  
Ranking Member  
Committee on Agriculture, Nutrition, and Forestry  
United States Senate  
Washington, D.C. 20510

The Honorable Brian Schatz  
Chairman  
Committee on Indian Affairs  
United States Senate  
Washington, D.C. 20510

The Honorable Lisa Murkowski  
Vice Chairman  
Committee on Indian Affairs  
United States Senate  
Washington, D.C. 20510

Dear Chairwoman Stabenow, Chairman Schatz, Vice Chairman Murkowski, and Ranking Member Boozman,

Recently, H.R. 3475 was introduced. This is the latest iteration of the Save America's Forgotten Equines (SAFE) Act. This year the legislation proposes to amend the Agriculture Improvement Act of 2018 to prohibit the processing of horse meat for human consumption. We understand the sponsors intend on including it in this year's Farm Bill.

This legislation would make it a crime for any member of my tribe or our tribal government to transport a horse to a meat processing facility even if that facility is located in an adjoining country or overseas. Of course, the bill is not unique to tribes and would apply to any American citizen. With all due respect to the bill's sponsors, we believe the legislation is ill-advised and would unintentionally, but nonetheless disproportionately, be detrimental to many western Indian reservations.

In the last Congress, similar legislation, H.R. 3355, was referred to the House Energy and Commerce Committee, and S. 2732 was referred to the Senate Judiciary Committee. We were pleased that, on a bipartisan basis, House Energy and Commerce Committee staff reached out to Indian country and held a series of calls allowing us to relay how the infusion of increasing numbers of feral horses were affecting our homelands. During the course of those virtual meetings, it became quite clear that the animal rights groups who supported the bill had not relayed how this bill would affect tribes. To give them the benefit of the doubt, they may not have known.

The bottom line is pretty basic. Dozens of Indian reservations including ours are quite simply overrun with feral horses and those horses are doing tremendous damage to our lands, to our ecology and to our natural resources including to native plants and animals. We are not alone in this regard. You should know that the Center for Biological Diversity, the main entity advocating for the protection of endangered species has

petitioned the Fish and Wildlife Service for protection in a number of cases in which feral horses are the principal entity damaging the landscape needed by the species in question.

Last year, the National Tribal Horse Coalition (NTHC), working with the Intertribal Agriculture Council, convened a call among tribes that are affected by feral horses. The results were eye-opening even to those of us working in this area. We know from that call and other reports that Tribes from Arizona, New Mexico, Nevada, Wyoming, California, Oregon, Washington, Idaho, Montana and the Dakotas are all negatively affected by larger numbers of feral horses than their lands can sustain and, in many cases, very high numbers. Based on aerial surveys and a known growth rate of 20% a year, we were told that the Yakama Reservation in Washington State has over 15,000 horses; the Navajo Reservation, covering land in three southwestern states, has over 70,000 feral horses and the Wind River Reservation in Wyoming has over 8,000 feral horses. Other tribes reported numbers from 3,000 on up. There are vast swaths of land on these reservations that have been totally denuded of any vegetation by horses. This vegetation includes traditional medicinal plants long used by Indian people as well as vegetation needed by native species such as pronghorn and sage grouse. When hillsides are denuded the streams at their base are silted in and riparian fishery habitat is also damaged. Our members in the Ag industry are also harmed. We have reports of entire fields of sorghum being wiped out by feral horses and producers being unable feed cattle as aggressive feral horses will take flaked hay before the cattle can.

The following observation was recently submitted to the NTHC by a biologist stationed at the Yakama Nation, "On the Reservation, degraded habitat has led to serious declines in ecosystem function, including impacts to microorganisms, reptiles and amphibians, fish (including ESA listed mid-Columbia steelhead), songbirds and raptors, small mammals, carnivores, and a host of other plants and animals. The plants include forage plants and several important Yakama foods and medicines. The opening up of the landscape to the invasion of exotic plant species may forever change these ecosystems without aggressive intervention from resource managers. The extremely high numbers of horses also appear to be forcing deer, which are the most historically important Yakama big game animal, out of highly suitable habitat within the shrub-steppe zone's riparian canyon lands. Many Yakamas complain that these once highly productive hunting areas are now virtually unoccupied by deer."

Indian people have been living with horses for hundreds of years and many Indian people own horses and admire them but a domestically owned horse, kept in a fenced pasture, is entirely different than large herds of feral horses. Indian tribes were forced to cede millions of acres of our aboriginal lands in return for greatly reduced reservation lands. If the SAFE Act were to ever become law and we could not reduce the numbers of feral horses, tens of thousands of acres of lands that we did retain would be damaged, all at the behest of perhaps well-meaning but clueless animal rights groups, 99% of whose members have never set foot on an Indian reservation. This is a significant intrusion into the sovereign governing authority that tribes retain. These large herds simply must be culled.

The animal rights groups pushing these bills contend that darting mares with fertility drugs is the answer. They also suggest that tens of thousands of horses can all be adopted. Respectfully, this is wishful thinking with absolutely no connection to reality and you need look no further than the experience the BLM is having in trying to implement the Wild and Free-Roaming Horses and Burro Act to see the reality of the situation. Due to a lack of natural predators and a substantial annual growth rate, the population of free-roaming horses on identified Horse Management Areas (HMAs) under the Act far exceeds the carrying capacity or Appropriate Management Level (AML) of those lands. A portion of those surplus horses are rounded up and BLM tries to get Americans to adopt them even giving \$1,000 to anyone who will adopt one (via their Adoption Incentive Program). The adoption program is not remotely able to keep pace with the numbers being removed that exceed the AMLs on the HMAs so now BLM is spending over \$70 million a year housing "wild" horses at long-term pasture facilities, at a life-time costs per horse of over \$24,000. Per the CRS, in FY 22 the BLM wild horse and burro program was funded at a level of \$137 million, six times the FY 2000 amount (\$20 million) and more than double the FY 2010 amount (\$64 million). The number of unwanted, surplus feral horses in Indian country

far exceeds the total numbers that BLM is responsible for. If BLM, with its \$1000 per horse incentive program can't get a fraction of its horses adopted, how will tribes?

BLM will also tell you that darting mares with PZP (a fertility drug) on vast open western lands is simply not viable. We are not talking about a small, controlled herd of ponies on Assateague Island in Maryland but tens of thousands of horses on thousands of acres of land. You would need an army of marksmen with dart guns to, for instance, drive around to Indian reservations at a cost, according to BLM, of \$2,500 per horse. Then, determining which mares had been darted would be nearly impossible as would reinjecting them every year or two as is required by the manufacturer. Even if successful we would be looking at 15-20 years of more damage to our lands before any relief would be possible.

The animal rights group will tell you that it is impossible to humanely put down a horse using a captive bolt. The American Veterinary Medical Association, the trained doctors with expertise in this specific area, will tell you the opposite and have submitted testimony to the Congress to that effect. The animal rights groups argue that the most humane method is to have a veterinarian inject poison such as pentobarbital into a horse. If tribes used that method, what would we do with thousands of horse carcasses? Rent backhoes and bury them and then risk the poison entering our ground water? And at what financial cost?

Because the animal rights groups secured annual riders on the Ag Appropriations bill prohibiting the Food Safety and Inspection Service from inspecting horse meat (a healthy protein readily eaten around the world), there are no longer processing facilities open in the US for horses. As a result, we, or horse buyers, now transport those horses to Canada, Mexico, or other countries, where the captive bolt is used at processing facilities. The SAFE Act would criminalize that one remaining method we have available to protect our lands from the very observable damage feral horses have done to those lands. We ask that you reject any proposals to include HR 3475 or any comparable language into the Farm Bill. Thank you.

Sincerely,



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