

**Calendar No. 246**

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

**H. R. 126**

**[Report No. 109-154]**

To amend Public Law 89-366 to allow for an adjustment in the number of free roaming horses permitted in Cape Lookout National Seashore.

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IN THE SENATE OF THE UNITED STATES

MARCH 15, 2005

Received; read twice and referred to the Committee on Energy and Natural Resources

OCTOBER 19, 2005

Reported by Mr. DOMENICI, without amendment

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**AN ACT**

To amend Public Law 89-366 to allow for an adjustment in the number of free roaming horses permitted in Cape Lookout National Seashore.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. ADJUSTMENT IN NUMBER OF FREE ROAMING**  
2 **HORSES PERMITTED IN CAPE LOOKOUT NA-**  
3 **TIONAL SEASHORE, NORTH CAROLINA.**

4 (a) IN GENERAL.—The first subsection (b) of section  
5 5 of Public Law 89–366 (16 U.S.C. 459g–4) is amend-  
6 ed—

7 (1) in paragraph (1), by striking “100 free  
8 roaming horses” and inserting “not less than 110  
9 free roaming horses, with a target population of be-  
10 tween 120 and 130 free roaming horses,”;

11 (2) in paragraph (3), by striking subparagraph  
12 (B) and inserting the following new subparagraph:

13 “(B) unless removal is carried out as part of a  
14 plan to maintain the viability of the herd; or”;

15 (3) in paragraph (5), by striking “100” and in-  
16 serting “110”.

17 (b) REPEAL OF DUPLICATE SUBSECTION.—Section 5  
18 of Public Law 89–366 is further amended—

19 (1) in subsection (a), by striking “(a)” after  
20 “(a)”;

21 (2) by striking the second subsection (b).



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