

112TH CONGRESS
2^D SESSION

H. R. 306

IN THE SENATE OF THE UNITED STATES

FEBRUARY 7, 2012

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

AN ACT

To direct the Secretary of the Interior to enter into an agreement to provide for management of the free-roaming wild horses in and around the Currituck National Wildlife Refuge.

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. SHORT TITLE.**

2 This Act may be cited as the “Corolla Wild Horses
3 Protection Act”.

4 **SEC. 2. WILD HORSES IN AND AROUND THE CURRITUCK**
5 **NATIONAL WILDLIFE REFUGE.**

6 (a) AGREEMENT REQUIRED.—

7 (1) IN GENERAL.—The Secretary of the Inte-
8 rior shall enter into an agreement with the Corolla
9 Wild Horse Fund (a nonprofit corporation estab-
10 lished under the laws of the State of North Caro-
11 lina), the County of Currituck, North Carolina, and
12 the State of North Carolina within 180 days after
13 the date of enactment of this Act to provide for
14 management of free-roaming wild horses in and
15 around the Currituck National Wildlife Refuge.

16 (2) TERMS.—The agreement shall—

17 (A) allow a herd of not less than 110 and
18 not more than 130 free-roaming wild horses in
19 and around such refuge, with a target popu-
20 lation of between 120 and 130 free-roaming
21 wild horses;

22 (B) provide for cost-effective management
23 of the horses while ensuring that natural re-
24 sources within the refuge are not adversely im-
25 pacted;

1 (C) provide for introduction of a small
2 number of free-roaming wild horses from the
3 herd at Cape Lookout National Seashore as is
4 necessary to maintain the genetic viability of
5 the herd in and around the Currituck National
6 Wildlife Refuge; and

7 (D) specify that the Corolla Wild Horse
8 Fund shall pay the costs associated with—

9 (i) coordinating a periodic census and
10 inspecting the health of the horses;

11 (ii) maintaining records of the horses
12 living in the wild and in confinement;

13 (iii) coordinating the removal and
14 placement of horses and monitoring of any
15 horses removed from the Currituck County
16 Outer Banks; and

17 (iv) administering a viable population
18 control plan for the horses including auc-
19 tions, adoptions, contraceptive fertility
20 methods, and other viable options.

21 (b) CONDITIONS FOR EXCLUDING WILD HORSES
22 FROM REFUGE.—The Secretary shall not exclude free-
23 roaming wild horses from any portion of the Currituck
24 National Wildlife Refuge unless—

1 (1) the Secretary finds that the presence of
2 free-roaming wild horses on a portion of the Refuge
3 threatens the survival of an endangered species for
4 which such land is designated as critical habitat
5 under the Endangered Species Act of 1973 (16
6 U.S.C. 1531 et seq.);

7 (2) such finding is based on a credible peer-re-
8 viewed scientific assessment; and

9 (3) the Secretary provides a period of public no-
10 tice and comment on that finding.

11 (c) REQUIREMENTS FOR INTRODUCTION OF HORSES
12 FROM CAPE LOOKOUT NATIONAL SEASHORE.—During
13 the effective period of the memorandum of understanding
14 between the National Park Service and the Foundation
15 for Shackleford Horses, Inc. (a non-profit corporation or-
16 ganized under the laws of and doing business in the State
17 of North Carolina) signed in 2007, no horse may be re-
18 moved from Cape Lookout National Seashore for intro-
19 duction at Currituck National Wildlife Refuge except—

20 (1) with the approval of the Foundation; and

21 (2) consistent with the terms of such memo-
22 randum (or any successor agreement) and the Man-
23 agement Plan for the Shackleford Banks Horse
24 Herd signed in January 2006 (or any successor
25 management plan).

1 (d) NO LIABILITY CREATED.—Nothing in this sec-
2 tion shall be construed as creating liability for the United
3 States for any damages caused by the free-roaming wild
4 horses to any person or property located inside or outside
5 the boundaries of the refuge.

Passed the House of Representatives February 6,
2012.

Attest:

KAREN L. HAAS,
Clerk.