

## Union Calendar No. 210

112TH CONGRESS  
1ST SESSION

# H. R. 306

[Report No. 112-310]

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.

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### IN THE HOUSE OF REPRESENTATIVES

JANUARY 18, 2011

Mr. JONES (for himself, Mr. COBLE, Mr. CONNOLLY of Virginia, and Mr. PRICE of North Carolina) introduced the following bill; which was referred to the Committee on Natural Resources

DECEMBER 1, 2011

Additional sponsors: Mr. WHITFIELD, Mr. PALLONE, Ms. BORDALLO, Mr. PIERLUISI, Ms. SUTTON, and Mr. MORAN

DECEMBER 1, 2011

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on January 18, 2011]

# **A BILL**

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,*

3 **SECTION 1. SHORT TITLE.**

4        *This Act may be cited as the “Corolla Wild Horses*  
5 *Protection Act”.*

6 **SEC. 2. WILD HORSES IN AND AROUND THE CURRITUCK NA-**  
7 **TIONAL WILDLIFE REFUGE.**

8        *(a) AGREEMENT REQUIRED.—*

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

18            *(2) TERMS.—The agreement shall—*

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

1           (B) provide for cost-effective management of  
2           the horses while ensuring that natural resources  
3           within the refuge are not adversely impacted;

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

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

12                 (i) coordinating a periodic census and  
13                 inspecting the health of the horses;

14                 (ii) maintaining records of the horses  
15                 living in the wild and in confinement;

16                 (iii) coordinating the removal and  
17                 placement of horses and monitoring of any  
18                 horses removed from the Currituck County  
19                 Outer Banks; and

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

24          (b) *CONDITIONS FOR EXCLUDING WILD HORSES FROM*  
25          *REFUGE.*—The Secretary shall not exclude free-roaming

1 *wild horses from any portion of the Currituck National*  
2 *Wildlife Refuge unless—*

3           (1) *the Secretary finds that the presence of free-*  
4 *roaming wild horses on a portion of the Refuge*  
5 *threatens the survival of an endangered species for*  
6 *which such land is designated as critical habitat*  
7 *under the Endangered Species Act of 1973 (16 U.S.C.*  
8 *1531 et seq.);*

9           (2) *such finding is based on a credible peer-re-*  
10 *viewed scientific assessment; and*

11           (3) *the Secretary provides a period of public no-*  
12 *tice and comment on that finding.*

13       (c) *REQUIREMENTS FOR INTRODUCTION OF HORSES*  
14 *FROM CAPE LOOKOUT NATIONAL SEASHORE.—During the*  
15 *effective period of the memorandum of understanding be-*  
16 *tween the National Park Service and the Foundation for*  
17 *Shackleford Horses, Inc. (a non-profit corporation orga-*  
18 *nized under the laws of and doing business in the State*  
19 *of North Carolina) signed in 2007, no horse may be removed*  
20 *from Cape Lookout National Seashore for introduction at*  
21 *Currituck National Wildlife Refuge except—*

22           (1) *with the approval of the Foundation; and*

23           (2) *consistent with the terms of such memo-*  
24 *randum (or any successor agreement) and the Man-*  
25 *agement Plan for the Shackleford Banks Horse Herd*

1       *signed in January 2006 (or any successor manage-*  
2       *ment plan).*

3       *(d) NO LIABILITY CREATED.—Nothing in this section*  
4       *shall be construed as creating liability for the United States*  
5       *for any damages caused by the free-roaming wild horses to*  
6       *any person or property located inside or outside the bound-*  
7       *aries of the refuge.*



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