

112TH CONGRESS  
2D SESSION

# H. R. 306

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IN THE SENATE OF THE UNITED STATES

FEBRUARY 7, 2012

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

MARCH 21, 2012

Committee discharged; referred to the Committee on Environment and Public  
Works

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## 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,*

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**  
7 **NATIONAL WILDLIFE REFUGE.**

8 (a) AGREEMENT REQUIRED.—

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

10           (2) TERMS.—The agreement shall—

11           (A) allow a herd of not less than 110 and  
12           not more than 130 free-roaming wild horses in  
13           and around such refuge, with a target popu-  
14           lation of between 120 and 130 free-roaming  
15           wild horses;

16           (B) provide for cost-effective management  
17           of the horses while ensuring that natural re-  
18           sources within the refuge are not adversely im-  
19           pacted;

20           (C) provide for introduction of a small  
21           number of free-roaming wild horses from the  
22           herd at Cape Lookout National Seashore as is  
23           necessary to maintain the genetic viability of  
24           the herd in and around the Currituck National  
25           Wildlife Refuge; and

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

3 (i) coordinating a periodic census and  
4 inspecting the health of the horses;

5 (ii) maintaining records of the horses  
6 living in the wild and in confinement;

7 (iii) coordinating the removal and  
8 placement of horses and monitoring of any  
9 horses removed from the Currituck County  
10 Outer Banks; and

11 (iv) administering a viable population  
12 control plan for the horses including auc-  
13 tions, adoptions, contraceptive fertility  
14 methods, and other viable options.

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

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

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

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

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

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

15           (2) consistent with the terms of such memo-  
16 randum (or any successor agreement) and the Man-  
17 agement Plan for the Shackleford Banks Horse  
18 Herd signed in January 2006 (or any successor  
19 management plan).

20           (d) NO LIABILITY CREATED.—Nothing in this sec-  
21 tion shall be construed as creating liability for the United  
22 States for any damages caused by the free-roaming wild

- 1 horses to any person or property located inside or outside
- 2 the boundaries of the refuge.

Passed the House of Representatives February 6,  
2012.

Attest:

KAREN L. HAAS,

*Clerk.*