

112TH CONGRESS
2D SESSION

S. 3448

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.

IN THE SENATE OF THE UNITED STATES

JULY 26, 2012

Mrs. HAGAN (for herself and Mr. BURR) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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**
7 **NATIONAL WILDLIFE REFUGE.**

8 (a) AGREEMENT REQUIRED.—

1 (1) IN GENERAL.—Not later than 180 days
2 after the date of enactment of this Act, the Sec-
3 retary of the Interior (referred to in this Act as the
4 “Secretary”) shall enter into an agreement with the
5 Corolla Wild Horse Fund (a nonprofit corporation
6 established under the laws of the State of North
7 Carolina), the County of Currituck, North Carolina,
8 and the State of North Carolina to provide for man-
9 agement of free-roaming wild horses in and around
10 the Currituck National Wildlife Refuge.

11 (2) TERMS.—The agreement shall—

12 (A) allow a herd of not fewer than 110 and
13 not more than 130 free-roaming wild horses in
14 and around the refuge, with a target population
15 of between 120 and 130 free-roaming wild
16 horses;

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

21 (C) provide for introduction of a small
22 number of free-roaming wild horses from the
23 herd at Cape Lookout National Seashore as is
24 necessary to maintain the genetic viability of

1 the herd in and around the Currituck National
 2 Wildlife Refuge; and

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

5 (i) coordinating a periodic census and
 6 inspecting the health of the horses;

7 (ii) maintaining records of the horses
 8 living in the wild and in confinement;

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

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

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

21 (1) the Secretary finds that the presence of
 22 free-roaming wild horses on a portion of that refuge
 23 threatens the survival of an endangered species for
 24 which that land is designated as critical habitat

1 under the Endangered Species Act of 1973 (16
2 U.S.C. 1531 et seq.);

3 (2) the finding is based on a credible peer-re-
4 viewed scientific assessment; and

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

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

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

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

22 (d) NO LIABILITY CREATED.—Nothing in this sec-
23 tion creates liability for the United States for any damage
24 caused by the free-roaming wild horses to any person or

- 1 property located inside or outside the boundaries of the
- 2 Currituck National Wildlife Refuge.

