

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 4:30 today.

Accordingly (at 2 o'clock and 15 minutes p.m.), the House stood in recess.

□ 1634

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SIMPSON) at 4 o'clock and 34 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken after 6:30 p.m. today.

COROLLA WILD HORSES
PROTECTION ACT

Mr. HASTINGS of Washington. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 306) 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, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 306

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Corolla Wild Horses Protection Act".

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

(a) AGREEMENT REQUIRED.—

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

(2) TERMS.—The agreement shall—

(A) allow a herd of not less than 110 and not more than 130 free-roaming wild horses in and around such refuge, with a target population of between 120 and 130 free-roaming wild horses;

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

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

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

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

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

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

(iv) administering a viable population control plan for the horses including auctions, adoptions, contraceptive fertility methods, and other viable options.

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

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

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

(3) the Secretary provides a period of public notice and comment on that finding.

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

(1) with the approval of the Foundation; and

(2) consistent with the terms of such memorandum (or any successor agreement) and the Management Plan for the Shackleford Banks Horse Herd signed in January 2006 (or any successor management plan).

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

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Washington (Mr. HASTINGS) and the gentleman from the Northern Mariana Islands (Mr. SABLON) each will control 20 minutes.

The Chair recognizes the gentleman from Washington.

GENERAL LEAVE

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HASTINGS of Washington. I yield myself as much time as I may consume.

Mr. Speaker, in 2007, the State of North Carolina, the U.S. Fish and Wildlife Service, the County of Currituck, and the Corolla Wild Horse Fund completed a Wild Horse Management Plan for the colonial Spanish Mustangs that live on the 7,544 acres of public and private lands in coastal North Carolina. This plan expires in April, and the Fish and Wildlife Service has indicated that they will not sign the 2012 plan.

H.R. 306, authored by my friend and classmate Congressman WALTER JONES

from North Carolina, requires the Secretary of the Interior to enter into a new agreement within 180 days of enactment.

It will also stabilize the number of horses to no more than 130, allow the introduction of a small number of Shackleford Banks horses to improve genetic diversity, and will ensure that the Corolla Wild Horse Fund will continue to pay for the costs of caring for and managing these horses.

Mr. Speaker, these horses are living symbols of our colonial history. H.R. 306 ensures that they will survive in the future at no cost to our taxpayers.

I want to thank my friend from North Carolina for his leadership on this matter, and I reserve the balance of my time.

Mr. SABLON. Mr. Speaker, I yield myself as much time as I may consume.

(Mr. SABLON asked and was given permission to revise and extend his remarks.)

Mr. SABLON. Mr. Speaker, I rise in support of H.R. 306. H.R. 306, as amended, directs the Secretary of the Interior to enter into an agreement with the Corolla Wild Horse Fund, as well as local and State authorities, to provide for the management of the free-roaming wild horses in and around Currituck National Wildlife Refuge. The agreement will increase the cap on the herd size in and around the refuge to 130 horses and specifies that the privately funded Corolla Wild Horse Fund will cover the costs of managing the herd.

Catching a glimpse of these horses on the beach is an integral part of what draws thousands of visitors to the North Carolina coast each year. However, the Currituck refuge was established in 1984 to preserve and protect the native coastal barrier island ecosystem. The refuge provides essential habitat for migrating waterfowl and endangered species, such as piping plover and sea turtles, which also draws visitors to these beaches.

It is unusual to protect a nonnative species in a wildlife refuge. Extra effort and resources are needed to ensure that the wild herd does not impair the ecosystem for the native animals and plants. The Fish and Wildlife Service needs additional funds to accomplish the conservation purposes of the Currituck National Wildlife Refuge. Additional resources would support staff salaries, since no staff is currently stationed at Currituck National Wildlife Refuge; corrals to keep the horses from trampling critical habitat; and research to study the potential impacts of these horses on the island's habitat.

As we move forward to consider the Fish and Wildlife Service budget later this month, we should examine the operations and maintenance backlog of the National Wildlife Refuge System, which has been chronically underfunded. We must provide the Fish and Wildlife Service adequate funding to

preserve all the species in the home of these horses.

I thank Mr. JONES for his work in support of the Currituck National Wildlife Refuge and urge adoption of H.R. 306.

I reserve the balance of my time.

□ 1640

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 4 minutes to the author of this legislation, the gentleman from North Carolina (Mr. JONES).

Mr. JONES. Mr. Chairman, thank you very much for the time. To the ranking member, thank you for your comments as well.

As has already been stated, H.R. 306 would provide for a new public-private management plan for the free roaming Corolla wild horses of North Carolina's Outer Banks—at no cost to our taxpayers.

The Corolla wild horses are Colonial Spanish Mustangs that can be traced back to the Spanish explorers on the Outer Banks in the 16th century. They've survived in the wild for over 400 years and roam across 7,500 acres of public and private land in coastal Currituck County, North Carolina.

Under the existing management agreement between the Interior Department, the State of North Carolina, Currituck County, and the nonprofit Corolla Wild Horse Fund, the maximum number of horses allowed in the herd is 60. Equine genetic scientists believe the number of 60 threatens the herd's existence due to high levels of inbreeding and low levels of genetic diversity.

To address this issue, H.R. 306 would require a new management plan to allow a herd of no less than 110 horses and no more than 130 horses. 110 is the minimum number that leading equine genetic scientist Dr. Gus Cothran of Texas A&M University has found to be necessary to maintain the herd's genetic viability. It is important to note that these numbers are well within the carrying capacity of the land these horses call home. To improve the herd's genetics, the bill would allow for the limited introduction of wild horses from the related herd at Cape Lookout National Seashore.

I would like to emphasize that H.R. 306 requires the Corolla Wild Horse Fund, not the Federal Government, to pay for managing the horses. The fund is a thriving nonprofit with an annual budget of over \$400,000 that is growing each and every year. They already pay the costs of managing the horses, and they will continue to do so under this bill. Confirming this point, the CBO score on H.R. 306 found "the Federal Government would incur no significant additional costs to manage or mitigate the effects of horses on the refuge."

H.R. 306 is similar to another bipartisan bill that was made reference to a while ago that I authored to create a public-private partnership to save the wild horses of Shackleford Banks in

Cape Lookout National Seashore. That legislation was passed by the Republican House in 1998 and was signed into law by President Bill Clinton. I want to, at this time, acknowledge for the record that his Chief of Staff, Erskine Bowles, was instrumental in that bill's becoming law.

Mr. Speaker, the Corolla wild horses are a key part of North Carolina's heritage and an important element of the Outer Banks' economy. In fact, they're the North Carolina State horse. H.R. 306 has broad bipartisan support, and I want to thank both parties for that support. Among others, it is supported by North Carolina Governor Bev Perdue, Currituck County and the local community, the Corolla Wild Horse Fund, the Humane Society, the American Society for Prevention of Cruelty to Animals, the Animal Welfare Institute, and the Foundation for Shackleford Horses.

Mr. Speaker, in closing, I make reference to these posters. As you can well see, these horses have their own heritage. They are absolutely wonderful, beautiful animals, and many times on the coast of North Carolina, when these horses are standing in the ocean with their foal, you will see those tourists come right up to the horse and to the foal and pet them. These horses are part of our heritage, and I thank both parties for passing this bill as I hope that we will pass this bill today.

Mr. SABLON. Mr. Speaker, I yield back the balance of my time.

Mr. HASTINGS of Washington. I urge the passage of this important piece of legislation for North Carolina, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. HASTINGS) that the House suspend the rules and pass the bill, H.R. 306, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

NEW YORK CITY NATURAL GAS SUPPLY ENHANCEMENT ACT

Mr. HASTINGS of Washington. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2606) to authorize the Secretary of the Interior to allow the construction and operation of natural gas pipeline facilities in the Gateway National Recreation Area, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2606

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "New York City Natural Gas Supply Enhancement Act".

SEC. 2. DEFINITIONS.

In this Act:

(1) ENTITY.—The term "entity" means an entity holding a permit issued under this Act.

(2) LEASE.—The term "lease" means an agreement that authorizes the occupancy and use of certain designated premises for facilities associated with the project, particularly a meter and regulating station.

(3) NATURAL GAS PIPELINE FACILITIES.—The term "natural gas pipeline facilities" means pipeline and related equipment necessary for the transmission and distribution of natural gas, such as meters and heating and pressure-regulating devices used in the transportation of natural gas.

(4) PERMIT.—The term "permit" means any permits, rights-of-way, or any other authorizations necessary for the Secretary to authorize the construction, operation, and maintenance of natural gas pipeline facilities in the Gateway National Recreation Area.

(5) PROJECT.—The term "project" means the natural gas pipeline facilities within Gateway National Recreation Area, including the meter and regulating station to be located at Floyd Bennett Field, that are part of the Rockaway Delivery Lateral/Brooklyn Queens Interconnect Project, as further described in Federal Energy Regulatory Commission (FERC) Docket No. PF09-8, and including authorized revisions to the project.

(6) RENT.—The term "rent" means any payment to the Secretary pursuant to a lease for occupancy and use of designated premises to be made in such a manner and at such intervals as determined by the Secretary.

(7) SECRETARY.—The term "Secretary" means the Secretary of the Interior, acting through the Director of the National Park Service.

SEC. 3. PERMITTING INSTRUMENTS FOR NATURAL GAS PIPELINE FACILITIES.

(a) IN GENERAL.—The Secretary may issue permits to authorize the construction, operation, and maintenance of natural gas pipeline facilities, as provided by the project, within Gateway National Recreation Area.

(b) TERMS AND CONDITIONS.—

(1) Any rights-of-way or other permits issued for the natural gas pipeline facilities under this section shall be consistent with the laws and regulations generally applicable to utility rights-of-way within units of the National Park System.

(2) Any permits issued under this section for the natural gas pipeline facilities shall be subject to such terms and conditions the Secretary deems appropriate.

(3) The Secretary shall charge a fee for any permits issued under this section. The fees shall be based on fair market value and shall also include costs incurred by the National Park Service in processing a request for a permit; issuing a permit, if appropriate; and monitoring the permitted activities.

(4) Any permits issued under this section shall be for a term of 10 years, subject to renewal with any changes to its terms and conditions mutually agreed upon.

(c) ENFORCEMENT.—Failure to comply with, or a violation of, any term or condition of a permit may result in a citation, or fine, or the suspension or revocation of authorization to conduct the permitted activity.

SEC. 4. LEASE OF BUILDINGS.

The Secretary may enter into a non-competitive lease with any entity to allow the occupancy and use of buildings and associated properties on Floyd Bennett Field to house facilities associated with the project, particularly a meter and regulating station. Such lease shall—

(1) otherwise be subject to National Park Service leasing regulations;