

Union Calendar No. 153

104TH CONGRESS
1ST SESSION

H. R. 238

[Report No. 104-296]

To provide for the protection of wild horses within the Ozark National Scenic Riverways and prohibit the removal of such horses.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 1995

Mr. EMERSON (for himself, Mr. SKELTON, and Mr. HANCOCK) introduced the following bill; which was referred to the Committee on Resources

OCTOBER 30, 1995

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]

A BILL

To provide for the protection of wild horses within the Ozark National Scenic Riverways and prohibit the removal of such horses.

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 “Ozark Wild Horses
5 Protection Act”.

1 **SEC. 2. PROTECTION OF FREE-ROAMING HORSES.**

2 The first section of the Act entitled “An Act to pro-
3 vide for the establishment of the Ozark National Scenic
4 Riverways in the State of Missouri, and for other pur-
5 poses”; approved August 27, 1964 (78 Stat. 608; 16
6 U.S.C. 460m), is amended in the first sentence by insert-
7 ing “protection and preservation of free-roaming horses,”
8 after “wildlife.”

9 **SEC. 3. PROHIBITION OF REMOVAL OF HORSES.**

10 Section 5 of the Act entitled “An Act to provide for
11 the establishment of the Ozark National Scenic Riverways
12 in the State of Missouri, and for other purposes”, ap-
13 proved August 27, 1964 (78 Stat. 609; 16 U.S.C. 460m-
14 4), is amended by adding the following new subsection at
15 the end:

16 “(e) The Secretary may not remove, or allow or assist
17 in the removal of, any free-roaming horse from Federal
18 lands within the boundaries of the Ozark National Scenic
19 Riverways, except in the case of medical emergency or nat-
20 ural disaster.”

21 **SECTION 1. FREE-ROAMING HORSES.**

22 *Section 7 of the Act entitled “An Act to provide for*
23 *the establishment of the Ozark National Scenic Riverways*
24 *in the State of Missouri, and for other purposes”, approved*
25 *August 27, 1964 (16 U.S.C. 460m-6), is amended to read*
26 *as follows:*

1 “SEC. 7. (a) *The Secretary, in accordance with this*
2 *section, shall allow free-roaming horses in the Ozark Na-*
3 *tional Scenic Riverways. Within 180 days after enactment*
4 *of this section, the Secretary shall enter into an agreement*
5 *with the Missouri Wild Horse League or another qualified*
6 *nonprofit entity to provide for management of free-roaming*
7 *horses. The agreement shall provide for cost-effective man-*
8 *agement of the horses and limit Federal expenditures to the*
9 *costs of monitoring the agreement. The Secretary shall issue*
10 *permits for adequate pastures to accommodate the historic*
11 *population level of the free-roaming horse herd, which shall*
12 *be not less than the number of horses in existence on the*
13 *date of the enactment of this section nor more than 50.*

14 “(b) *The Secretary may not remove, or assist in or*
15 *permit the removal of, any free-roaming horses from Fed-*
16 *eral lands within the boundary of the Ozark National Sce-*
17 *nic Riverways unless the entity with whom the Secretary*
18 *entered into the agreement under subsection (a), following*
19 *notice and a 180-day response period, substantially fails*
20 *to meet the terms and conditions of the agreement or in*
21 *the case of an emergency as defined in the agreement.*

22 “(c) *Nothing in this section shall be construed as creat-*
23 *ing additional liability for the United States for any dam-*
24 *ages caused by the free-roaming horses to property located*

1 *inside or outside the boundaries of the Ozark National Sce-*
2 *nic Riverways.”.*

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