

105TH CONGRESS
1ST SESSION

H. R. 765

AN ACT

To ensure maintenance of a herd of wild horses in
Cape Lookout National Seashore.

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Lookout National Seashore.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Shackleford Banks
3 Wild Horses Protection Act”.

4 **SEC. 2. MAINTENANCE OF WILD HORSES IN CAPE LOOKOUT**
5 **NATIONAL SEASHORE.**

6 Section 5 of the Act entitled “An Act to provide for
7 the establishment of the Cape Lookout National Seashore
8 in the State of North Carolina, and for other purposes”,
9 approved March 10, 1966 (16 U.S.C. 459g–4), is amended
10 by inserting “(a)” after “SEC. 5.”, and by adding at the
11 end the following new subsection:

12 “(b)(1) The Secretary, in accordance with this sub-
13 section, shall allow a herd of free roaming horses in the
14 seashore.

15 “(2) Within 180 days after enactment of this sub-
16 section, the Secretary shall enter into an agreement with
17 the Foundation for Shackleford Horses (a nonprofit cor-
18 poration established under the laws of the State of North
19 Carolina) to provide for management of free roaming
20 horses in the seashore. The agreement shall—

21 “(A) provide for cost-effective management of
22 the horses; and

23 “(B) allow the Foundation to adopt any of
24 those horses that the Secretary removes from the
25 seashore.

1 “(3)(A) The Secretary shall accommodate the historic
2 population level of the free roaming horse herd in the sea-
3 shore, which shall be considered to be not less than 100
4 horses and not more than 110 horses.

5 “(B) The Secretary may not remove, or assist in or
6 permit the removal of, any free roaming horses from Fed-
7 eral lands within the boundaries of the seashore unless—

8 “(i) the number of free roaming horses in the
9 seashore exceeds 110;

10 “(ii) there is an emergency or a need to protect
11 public health and safety, as defined in the agreement
12 under paragraph (2); or

13 “(iii) there is concern for the persistence and
14 viability of the horse population that is cited in the
15 most recent findings of annual monitoring of the
16 horses under paragraph (4).

17 “(4) The Secretary shall annually monitor, assess,
18 and make available to the public findings regarding the
19 population structure and health of the free roaming horses
20 in the national seashore.

21 “(5) Nothing in this subsection shall be construed as
22 creating liability for the United States for any damages

1 caused by the free roaming horses to property located in-
2 side or outside the boundaries of the seashore.”.

Passed the House of Representatives July 22, 1997.

Attest:

Clerk.