

XI. NATIONAL SEASHORES

1. Cape Cod

PUBLIC LAW 105-280—OCT. 26, 1998

112 STAT. 2694

Public Law 105-280  
105th Congress

An Act

To authorize the Automobile National Heritage Area in the State of Michigan,  
and for other purposes.

Nov. 6, 1998

[H.R. 3910]

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

**SECTION 1. CAPE COD NATIONAL SEASHORE.**

(a) LAND EXCHANGE AND BOUNDARY ADJUSTMENT.—Section 2  
of Public Law 87-126 (16 U.S.C. 459b-1) is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new  
subsection:

“(d) The Secretary may convey to the town of Provincetown,  
Massachusetts, a parcel of real property consisting of approximately  
7.62 acres of Federal land within such area in exchange for approxi-  
mately 11.157 acres of land outside of such area, as depicted on  
the map entitled ‘Cape Cod National Seashore Boundary Revision  
Map’, dated May, 1997, and numbered 609/80,801, to allow for  
the establishment of a municipal facility to serve the town that  
is restricted to solid waste transfer and recycling facilities and  
for other municipal activities that are compatible with National  
Park Service laws and regulations. Upon completion of the  
exchange, the Secretary shall modify the boundary of the Cape  
Cod National Seashore to include the land that has been added.”.

Massachusetts.

(b) REAUTHORIZATION OF ADVISORY COMMISSION.—Section 8(a)  
of such Act (16 U.S.C. 459b-7(a)) is amended by striking the second  
sentence and inserting the following new sentence: “The Commis-  
sion shall terminate September 26, 2008.”.

Termination  
date.

Approved October 26, 1998.

LEGISLATIVE HISTORY—H.R. 2411:

HOUSE REPORTS: No. 105-568 (Comm. on Resources)

SENATE REPORTS: No. 105-392 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 144 (1998):

June 22, considered and passed House.

Oct. 7, considered and passed Senate.



**2. Cape Hatteras**

112 STAT. 3411 PUBLIC LAW 105-383—NOV. 13, 1998

Public Law 105-383  
105th Congress**An Act**Nov. 13, 1998  
[H.R. 2204]To authorize appropriations for fiscal years 1998 and 1999 for the Coast Guard,  
and for other purposes.Coast Guard  
Authorization  
Act of 1998.*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 “Coast Guard Authorization Act  
of 1998”.**SEC. 2. TABLE OF CONTENTS.**

The table of contents for this Act is as follows:

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112 STAT. 3424

**TITLE IV—MISCELLANEOUS**

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112 STAT. 3439  
16 USC 459a-10.**SEC. 420. TRANSFER OF OCRACOKE LIGHT STATION TO SECRETARY  
OF THE INTERIOR.**The Administrator of the General Services Administration shall  
transfer administrative jurisdiction over the Federal property  
consisting of approximately 2 acres, known as the Ocracoke Light  
Station, to the Secretary of the Interior, subject to such reservations,  
terms, and conditions as may be necessary for Coast Guard pur-  
poses. All property so transferred shall be included in and adminis-  
tered as part of the Cape Hatteras National Seashore.

\* \* \* \* \*

112 STAT. 3450

Approved November 13, 1998.

**LEGISLATIVE HISTORY—H.R. 2204 (S. 1259):**HOUSE REPORTS: No. 105-236 (Comm. on Transportation and Infrastructure).  
SENATE REPORTS: No. 105-246 accompanying S. 1259 (Comm. on Commerce,  
Science, and Transportation).**CONGRESSIONAL RECORD:**

Vol. 143 (1997): Oct. 21, considered and passed House.

Vol. 144 (1998): Oct. 12, considered and passed Senate, amended, in lieu of  
S. 1259.Oct. 15, House concurred in Senate amendment with an  
amendment.

Oct. 21, Senate concurred in House amendment.



**3. Cape Lookout**

PUBLIC LAW 105-202—JULY 16, 1998

112 STAT. 676

Public Law 105-202  
105th Congress

**An Act**

To extend the legislative authority for construction of the National Peace Garden memorial, and for other purposes.

July 16, 1998  
[S. 731]

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

40 USC 1003  
note.  
North Carolina.

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

Section 5 of the Act entitled “An Act to provide for the establishment of the Cape Lookout National Seashore in the State of North Carolina, and for other purposes”, approved March 10, 1966 (Public Law 89-366; 16 U.S.C. 459g-4), is amended by inserting “(a)” after “SEC. 5.”, and by adding at the end the following new subsection:

“(b)(1) The Secretary, in accordance with this subsection, shall allow a herd of 100 free roaming horses in Cape Lookout National Seashore (hereinafter referred to as the “seashore”): *Provided*, That nothing in this section shall be construed to preclude the Secretary from implementing or enforcing the provisions of paragraph (3).

Contracts.

“(2) Within 180 days after enactment of this subsection, the Secretary shall enter into an agreement with the Foundation for Shackelford Horses (a nonprofit corporation established under the laws of the State of North Carolina), or another qualified nonprofit entity, to provide for management of free roaming horses in the seashore. The agreement shall—

“(A) provide for cost-effective management of the horses while ensuring that natural resources within the seashore are not adversely impacted; and

“(B) allow the authorized entity to adopt any of those horses that the Secretary removes from the seashore.

“(3) The Secretary shall not remove, assist in, or permit the removal of any free roaming horses from Federal lands within the boundaries of the seashore—

“(A) unless the entity with whom the Secretary has entered into the agreement under paragraph (2), following notice and a 90-day response period, fails to meet the terms and conditions of the agreement; or

“(B) unless the number of free roaming horses on Federal lands within Cape Lookout National Seashore exceeds 110; or

“(C) except in the case of an emergency, or to protect public health and safety.

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

112 STAT. 677  
Public  
information.

“(5) Nothing in this subsection shall be construed to require the Secretary to replace horses or otherwise increase the number of horses within the boundaries of the seashore where the herd numbers fall below 100 as a result of natural causes, including, but not limited to, disease or natural disasters.

112 STAT. 677

PUBLIC LAW 105-202—JULY 16, 1998

“(6) Nothing in this subsection shall be construed as creating liability for the United States for any damages caused by the free roaming horses to property located inside or outside the boundaries of the seashore.”.

Approved July 16, 1998.

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LEGISLATIVE HISTORY—S. 731:

HOUSE REPORTS: No. 105-362 (Comm. on Resources).

SENATE REPORTS: No. 105-40 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD:

Vol. 143 (1997): July 11, considered and passed Senate.

Nov. 13, considered and passed House, amended.

Vol. 144 (1998): June 25, Senate concurred in House amendment.



PUBLIC LAW 105-229—AUG. 13, 1998

112 STAT. 1517

Public Law 105-229  
105th Congress

An Act

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

Aug. 13, 1998

[H.R. 765]

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

**SECTION 1. MAINTENANCE OF WILD HORSES IN CAPE LOOKOUT NATIONAL SEASHORE.**

Section 5 of the Act entitled “An Act to provide for the establishment of the Cape Lookout National Seashore in the State of North Carolina, and for other purposes”, approved March 10, 1966 (Public Law 89-366; 16 U.S.C. 459g-4), is amended by inserting “(a)” after “Sec. 5.”, and by adding at the end the following new subsection:

“(b)(1) The Secretary, in accordance with this subsection, shall allow a herd of 100 free roaming horses in Cape Lookout National Seashore (hereinafter referred to as the ‘Seashore’): *Provided*, That nothing in this section shall be construed to preclude the Secretary from implementing or enforcing the provisions of paragraph (3).

“(2) Within 180 days after enactment of this subsection, the Secretary shall enter into an agreement with the Foundation for Shackelford Horses (a nonprofit corporation established under the laws of the State of North Carolina), or another qualified nonprofit entity, to provide for management of free roaming horses in the seashore. The agreement shall—

Deadline.  
Contracts.

“(A) provide for cost-effective management of the horses while ensuring that natural resources within the seashore are not adversely impacted; and

“(B) allow the authorized entity to adopt any of those horses that the Secretary removes from the seashore.

“(3) The Secretary shall not remove, assist in, or permit the removal of any free roaming horses from Federal lands within the boundaries of the seashore—

“(A) unless the entity with whom the Secretary has entered into the agreement under paragraph (2), following notice and a 90-day response period, fails to meet the terms and conditions of the agreement; or

“(B) unless the number of free roaming horses on Federal lands within Cape Lookout National Seashore exceeds 110; or

“(C) except in the case of an emergency, or to protect public health and safety.

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

Public  
information.

112 STAT. 1518

PUBLIC LAW 105-229—AUG. 13, 1998

“(5) Nothing in this subsection shall be construed to require the Secretary to replace horses or otherwise increase the number of horses within the boundaries of the seashore where the herd numbers fall below 100 as a result of natural causes, including, but not limited to, disease or natural disasters.

“(6) Nothing in this subsection shall be construed as creating liability for the United States for any damages caused by the free roaming horses to property located inside or outside the boundaries of the seashore.”.

Approved August 13, 1998.

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LEGISLATIVE HISTORY—H.R. 765:

HOUSE REPORTS: No. 105-179 (Comm. on Resources).

SENATE REPORTS: No. 105-115 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD:

Vol. 143 (1997): July 22, considered and passed House.

Vol. 144 (1998): July 17, considered and passed Senate, amended.

Aug. 3, House concurred in Senate amendment.

