

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 2406) TO PROTECT
AND ENHANCE OPPORTUNITIES FOR RECREATIONAL HUNTING, FISH-
ING, AND SHOOTING, AND FOR OTHER PURPOSES

FEBRUARY 23, 2016.—Referred to the House Calendar and ordered to be printed

Mr. NEWHOUSE of Washington, from the Committee on Rules,
submitted the following

R E P O R T

[To accompany H. Res. 619]

The Committee on Rules, having had under consideration House
Resolution 619, by a record vote of 8 to 3, report the same to the
House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 2406, the
SHARE Act, under a structured rule. The resolution provides one
hour of general debate equally divided and controlled by the chair
and ranking minority member of the Committee on Natural Re-
sources. The resolution waives all points of order against consider-
ation of the bill. The resolution makes in order as original text for
the purpose of amendment the amendment in the nature of a sub-
stitute recommended by the Committee on Natural Resources now
printed in the bill and provides that it shall be considered as read.
The resolution waives all points of order against that amendment
in the nature of a substitute. The resolution makes in order only
those further amendments printed in this report. Each such
amendment may be offered only in the order printed in this report,
may be offered only by a Member designated in this report, shall
be considered as read, shall be debatable for the time specified in
this report equally divided and controlled by the proponent and an
opponent, shall not be subject to amendment, and shall not be sub-
ject to a demand for division of the question in the House or in the
Committee of the Whole. The resolution waives all points of order
against the amendments printed in this report. The resolution pro-
vides one motion to recommit with or without instructions.

EXPLANATION OF WAIVERS

The waiver of all points of order against consideration of the bill
includes a waiver of the following:

- Section 302(f) of the Congressional Budget Act, which prohibits consideration of legislation providing new budget authority in excess of a committee's 302(a) allocation of such authority;
- Section 311 of the Congressional Budget Act of 1974, prohibiting consideration of legislation that would cause the level of total new budget authority for the first fiscal year to be exceeded;
- Clause 10 of rule XXI, which prohibits consideration of a bill if it has the net effect of increasing mandatory spending over the five- or ten-year period; and
- Clause 3(e)(1) of rule XIII ("Ramseyer"), requiring a committee report accompanying a bill amending or repealing statutes to show, by typographical device, parts of statute affected. The waiver is provided because the submission provided by the Committee on Natural Resources was insufficient to meet the standards established by the rule in its current form. The Committee on Rules continues to work with the House Office of Legislative Counsel and committees to determine the steps necessary to comply with the updated rule.

It is important to note that upon the adoption of the Manager's amendment, the violations of sections 302 (f) and 311 of the Congressional Budget Act as well as clause 10 of rule XXI will be cured.

The waiver of all points of order against the amendment in the nature of a substitute made in order as original text includes a waiver of the following:

- Clause 4 of rule XXI, which prohibits reporting a bill or joint resolution carrying an appropriation from a committee not having jurisdiction to report an appropriation; and
- Clause 5(a) of rule XXI, which prohibits a bill or joint resolution carrying a tax or tariff measure from being reported by a committee not having jurisdiction to report tax or tariff measures.

It is important to note that upon the adoption of the Manager's amendment, the violation of clause 4 of rule XXI will be cured.

Although the resolution waives all points of order against the amendments printed in this report, the Committee is not aware of any points of order. The waiver of all points of order prophylactic in nature.

COMMITTEE VOTES

The results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee record vote No. 148

Motion by Mr. McGovern to report an open rule. Defeated: 3-7

Majority Members	Vote	Minority Members	Vote
Ms. Foxx	Nay	Ms. Slaughter	Yea
Mr. Cole	Nay	Mr. McGovern	Yea
Mr. Woodall	Nay	Mr. Hastings of Florida	Yea
Mr. Burgess	Nay	Mr. Polis	Yea
Mr. Stivers		
Mr. Collins	Nay		

Majority Members	Vote	Minority Members	Vote
Mr. Byrne		
Mr. Newhouse	Nay		
Mr. Sessions, Chairman	Nay		

Rules Committee record vote No. 149

Motion by Mr. Polis to make in order and provide the appropriate waivers for amendment #19 offered by Rep. Sanford (SC), Rep. Grijalva (AZ) and Rep. Polis (CO), which permanently reauthorizes the Land and Water Conservation Fund; and amendment #22 offered by Rep. Grijalva (AZ) and Rep. Polis (CO), which strikes language blocking implementation of the Administration's rule to combat the illegal trade in ivory and protect African elephants under the Endangered Species Act. Defeated: 3–8

Majority Members	Vote	Minority Members	Vote
Ms. Foxx	Nay	Ms. Slaughter	Yea
Mr. Cole	Nay	Mr. McGovern	Yea
Mr. Woodall	Nay	Mr. Hastings of Florida
Mr. Burgess	Nay	Mr. Polis	Yea
Mr. Stivers	Nay		
Mr. Collins	Nay		
Mr. Byrne		
Mr. Newhouse	Nay D		
Mr. Sessions, Chairman	Nay		

Rules Committee record vote No. 150

Motion by Ms. Foxx to report the rule. Adopted: 8–3

Majority Members	Vote	Minority Members	Vote
Ms. Foxx	Yea	Ms. Slaughter	Nay
Mr. Cole	Yea	Mr. McGovern	Nay
Mr. Woodall	Yea	Mr. Hastings of Florida
Mr. Burgess	Yea	Mr. Polis	Nay
Mr. Stivers	Yea		
Mr. Collins	Yea		
Mr. Byrne		
Mr. Newhouse	Yea		
Mr. Sessions, Chairman	Yea		

SUMMARY OF THE AMENDMENTS MADE IN ORDER

1. Wittman (VA): MANAGER'S Deletes Title XII which has been enacted into law already, removes outdated year references in short titles, makes expenditures under the Federal Land Transaction Facilitation Act subject to appropriation, and adds the text of HR 3279, as passed by the House, as a new title XVII. (10 minutes)

2. Beyer (VA): Prohibits an individual who is prohibited from possessing a firearm by the Gun Control Act from using a public target range. (10 minutes)

3. Jackson Lee (TX): Strikes Title III, exemption to import polar bear trophies taken in sport. (10 minutes)

4. Bustos (IL): Adds the Administrator of U.S. Small Business Administration or a designated representative to the Wildlife and Hunting Heritage Conservation Council Advisory Committee's membership. (10 minutes)

5. Smith, Jason (MO): Adds a specification that closures of hunter access corridors shall be clearly marked with signs and dates

of closures, but shall not include barriers on the corridor. (10 minutes)

6. Meng (NY): Permits more than one U.S. Fish and Wildlife Service Law Enforcement Officer to be placed in a U.S. diplomatic or consular post in an African country with a significant population of African elephants in order to assist local wildlife rangers in the protection of such elephants. (10 minutes)

7. Huffman (CA): Requires GAO to conduct a study examining the effect of a ban of the trade of fossilized ivory from mammoths and mastodons on the illegal importation and trade of African and Asian elephant ivory within the United States. (10 minutes)

8. Beyer (VA): Strikes language that requires state approval of federal fishing regulations in waters under the jurisdiction of the National Park Service and the Office of National Marine Sanctuaries. (10 minutes)

9. Smith, Jason (MO): Prohibits USDA and NFS from issuing restrictions and regulations on hunting and recreational fishing in the Mark Twain National Forest. (10 minutes)

10. Newhouse (WA): Requires the Chief of the U.S. Forest Service to publish a notice in the Federal Register, with a justification, for the closure of any public road on Forest System lands. (10 minutes)

11. Fleming (LA): Requires the Forest Administrator to amend the travel plan for the Kisatchie National Forest in Louisiana to allow Utility Terrain Vehicle (UTV) access on roads nominated by the Secretary of Louisiana Wildlife and Fisheries, except when such designation would pose an unacceptable safety risk. If a road is denied, the Forest Administrator must publish a notice in the Federal Register with a justification for the closure. (10 minutes)

12. Griffith (VA): Allows a person who is not prohibited from possessing, transporting, shipping, or receiving a firearm or ammunition to transport a firearm or ammunition for any lawful purpose from any place where the person may lawfully possess, carry, or transport the firearm or ammunition to any other such place if, during the transportation, the firearm is unloaded. (10 minutes)

13. Heck (NV), Hardy (NV), Amodei (NV): Adds the text of H.R. 373, the Good Samaritan Search and Recovery Act, to the end of the bill. Expedites access to federal lands for volunteer search and rescue groups to assist in recovering the remains of a deceased individual believed to be located on federal lands. (10 minutes)

14. Ribble (WI), Lummis (WY), Benishek (MI), Peterson (MN): Reissues the 2011 U.S. Fish and Wildlife Service decision to delist the gray wolf in the Western Great Lakes and Wyoming from the Endangered Species Act. (10 minutes)

15. Young, Don (AK): Prohibits the Fish and Wildlife Service from issuing a final rule that preempts state management authority which is protected by law in Alaska. Withdraws a final rule issued by the National Park Service of the same issue. (10 minutes)

16. Huffman (CA): Designates the Coastal Plain of the Arctic National Wildlife Refuge as wilderness and a part of the National Wilderness Preservation System. (10 minutes)

17. Lowenthal (CA): Authorizes the Department of Interior, after public comment and if approved unanimously by the Migratory Bird Conservation Commission, to raise the price of the Migratory

Bird Hunting and Conservation Stamp (“Duck Stamp”) by the rate of inflation, in order to preserve waterfowl habitat. (10 minutes)

TEXT OF AMENDMENTS MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE WITTMAN OF VIRGINIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 53, line 18, insert “, subject to appropriation,” after “expanded”.

Page 63, strike lines 1 through 8.

Strike “of 2015” each place it appears.

At the end of the bill, add the following:

TITLE XVII—OPEN BOOK ON EQUAL ACCESS TO JUSTICE

SEC. 1701. SHORT TITLE.

This title may be cited as the “Open Book on Equal Access to Justice Act”.

SEC. 1702. MODIFICATION OF EQUAL ACCESS TO JUSTICE PROVISIONS.

(a) AGENCY PROCEEDINGS.—Section 504 of title 5, United States Code, is amended—

(1) in subsection (c)(1), by striking “, United States Code”;

(2) by redesignating subsection (f) as subsection (i); and

(3) by striking subsection (e) and inserting the following:

“(e)(1) The Chairman of the Administrative Conference of the United States, after consultation with the Chief Counsel for Advocacy of the Small Business Administration, shall report to the Congress, not later than March 31 of each year through the 6th calendar year beginning after the initial report under this subsection is submitted, on the amount of fees and other expenses awarded during the preceding fiscal year pursuant to this section. The report shall describe the number, nature, and amount of the awards, the claims involved in the controversy, and any other relevant information that may aid the Congress in evaluating the scope and impact of such awards. The report shall be made available to the public online.

“(2)(A) The report required by paragraph (1) shall account for all payments of fees and other expenses awarded under this section that are made pursuant to a settlement agreement, regardless of whether the settlement agreement is sealed or otherwise subject to nondisclosure provisions.

“(B) The disclosure of fees and other expenses required under subparagraph (A) does not affect any other information that is subject to nondisclosure provisions in the settlement agreement.

“(f) The Chairman of the Administrative Conference shall create and maintain, during the period beginning on the date the initial report under subsection (e) is submitted and ending one year after the date on which the final report under that subsection is submitted, online a searchable database containing the following information with respect to each award of fees and other expenses under this section:

“(1) The case name and number of the adversary adjudication, if available.

“(2) The name of the agency involved in the adversary adjudication.

“(3) A description of the claims in the adversary adjudication.

“(4) The name of each party to whom the award was made, as such party is identified in the order or other agency document making the award.

“(5) The amount of the award.

“(6) The basis for the finding that the position of the agency concerned was not substantially justified.

“(g) The online searchable database described in subsection (f) may not reveal any information the disclosure of which is prohibited by law or court order.

“(h) The head of each agency shall provide to the Chairman of the Administrative Conference in a timely manner all information requested by the Chairman to comply with the requirements of subsections (e), (f), and (g).”.

(b) COURT CASES.—Section 2412(d) of title 28, United States Code, is amended by adding at the end the following:

“(5)(A) The Chairman of the Administrative Conference of the United States shall submit to the Congress, not later than March 31 of each year through the 6th calendar year beginning after the initial report under this paragraph is submitted, a report on the amount of fees and other expenses awarded during the preceding fiscal year pursuant to this subsection. The report shall describe the number, nature, and amount of the awards, the claims involved in each controversy, and any other relevant information that may aid the Congress in evaluating the scope and impact of such awards. The report shall be made available to the public online.

“(B)(i) The report required by subparagraph (A) shall account for all payments of fees and other expenses awarded under this subsection that are made pursuant to a settlement agreement, regardless of whether the settlement agreement is sealed or otherwise subject to nondisclosure provisions.

“(ii) The disclosure of fees and other expenses required under clause (i) does not affect any other information that is subject to nondisclosure provisions in the settlement agreement.

“(C) The Chairman of the Administrative Conference shall include and clearly identify in the annual report under subparagraph (A), for each case in which an award of fees and other expenses is included in the report—

“(i) any amounts paid from section 1304 of title 31 for a judgment in the case;

“(ii) the amount of the award of fees and other expenses; and

“(iii) the statute under which the plaintiff filed suit.

“(6) The Chairman of the Administrative Conference shall create and maintain, during the period beginning on the date the initial report under paragraph (5) is submitted and ending one year after the date on which the final report under that paragraph is submitted, online a searchable database containing the following information with respect to each award of fees and other expenses under this subsection:

“(A) The case name and number.

“(B) The name of the agency involved in the case.

“(C) The name of each party to whom the award was made, as such party is identified in the order or other court document making the award.

“(D) A description of the claims in the case.

“(E) The amount of the award.

“(F) The basis for the finding that the position of the agency concerned was not substantially justified.

“(7) The online searchable database described in paragraph (6) may not reveal any information the disclosure of which is prohibited by law or court order.

“(8) The head of each agency (including the Attorney General of the United States) shall provide to the Chairman of the Administrative Conference of the United States in a timely manner all information requested by the Chairman to comply with the requirements of paragraphs (5), (6), and (7).”.

(c) CLERICAL AMENDMENTS.—Section 2412 of title 28, United States Code, is amended—

(1) in subsection (d)(3), by striking “United States Code,”; and

(2) in subsection (e)—

(A) by striking “of section 2412 of title 28, United States Code,” and inserting “of this section”; and

(B) by striking “of such title” and inserting “of this title”.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by subsections (a) and (b) shall first apply with respect to awards of fees and other expenses that are made on or after the date of the enactment of this Act.

(2) INITIAL REPORTS.—The first reports required by section 504(e) of title 5, United States Code, and section 2412(d)(5) of title 28, United States Code, shall be submitted not later than March 31 of the calendar year following the first calendar year in which a fiscal year begins after the date of the enactment of this Act.

(3) ONLINE DATABASES.—The online databases required by section 504(f) of title 5, United States Code, and section 2412(d)(6) of title 28, United States Code, shall be established as soon as practicable after the date of the enactment of this Act, but in no case later than the date on which the first reports under section 504(e) of title 5, United States Code, and section 2412(d)(5) of title 28, United States Code, are required to be submitted under paragraph (2) of this subsection.

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BEYER OF VIRGINIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 9, strike “and” after the semicolon at line 14, strike the period at line 16 and insert “; and”, and after line 16 insert the following:

(5) prohibits use of the location by any individual who is prohibited from purchasing a firearm by section 922(g) of title 18, United States Code.

Page 10, strike “and” after the semicolon at line 6, strike the closing quotation marks and period at line 8 and insert “and”, and after line 8 insert the following:

“(E) prohibits use of the location by any individual who is prohibited from purchasing a firearm by section 922(g) of title 18, United States Code.”.

3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE JACKSON LEE OF TEXAS OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Beginning at page 14, line 3, strike title III.

4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BUSTOS OF ILLINOIS OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 20, line 19, strike “; and” and insert a semicolon.

Page 20, line 21, strike the period and insert “; and”.

Page 20, after line 21, insert the following:

“(viii) Administrator of the Small Business Administration or designated representative.

5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SMITH OF MISSOURI OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 49, line 20, after the period, insert “Such closures shall be clearly marked with signs and dates of closures, and shall not include gates, chains, walls, or other barriers on the hunter access corridor.”.

6. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MENG OF NEW YORK OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 59, line 10, strike “OFFICER” and insert “OFFICERS”.

Page 59, beginning at line 16, strike “OFFICER” and insert “OFFICERS”.

Page 59, line 20, strike “one”.

Page 59, line 21, strike “officer” and insert “officers”.

7. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HUFFMAN OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of title X add the following:

SEC. ___ GOVERNMENT ACCOUNTABILITY OFFICE STUDY.

Not later than 90 days after the date of the enactment of this Act, the Comptroller General of the United States shall conduct a study examining the effects of a ban of the trade in of fossilized ivory from mammoths and mastodons on the illegal importation and trade of African and Asian elephant ivory within the United States, with the exception of importation or trade thereof related to museum exhibitions or scientific research, and report to Congress the findings of such study.

8. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BEYER OF VIRGINIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Beginning at page 69, line 1, strike title XIV.

9. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SMITH OF MISSOURI OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 71, Line 13, insert “the Mark Twain National Forest in the State of Missouri,” after “Mississippi,”.

10. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE NEWHOUSE OF WASHINGTON OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

After section 1502, insert the following:

SEC. 1503. PUBLICATION OF CLOSURE OF ROADS IN FORESTS.

The Chief of the Forest Service shall publish a notice in the Federal Register for the closure of any public road on Forest System lands, along with a justification for the closure.

11. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FLEMING OF LOUISIANA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of the bill, add the following:

TITLE XVII—UTILITY TERRAIN VEHICLES

SEC. 1701. UTILITY TERRAIN VEHICLES IN KISATCHIE NATIONAL FOREST.

(a) **IN GENERAL.**—The Forest Administrator shall amend the applicable travel plan to allow utility terrain vehicles access on all roads nominated by the Secretary of Louisiana Wildlife and Fisheries in the Kisatchie National Forest, except when such designation would pose an unacceptable safety risk, in which case the Forest Administrator shall publish a notice in the Federal Register with a justification for the closure.

(b) **UTILITY TERRAIN VEHICLES DEFINED.**—For purposes of this section, the term “utility terrain vehicle”—

(1) means any recreational motor vehicle designed for and capable of travel over designated roads, traveling on four or more tires with a maximum tire width of 27 inches, a maximum wheel cleat or lug of $\frac{3}{4}$ of an inch, a minimum width of 50 inches but not exceeding 74 inches, a minimum weight of at least 700 pounds but not exceeding 2,000 pounds, and a minimum wheelbase of 61 inches but not exceeding 110 inches;

(2) includes vehicles not equipped with a certification label as required by part 567.4 of title 49, Code of Federal Regulations; and

(3) does not include golf carts, vehicles specially designed to carry a disabled person, or vehicles otherwise registered under section 32.299 of the Louisiana State statutes.

12. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GRIFFITH
OF VIRGINIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Add at the end the following:

TITLE XVII—INTERSTATE TRANSPORTATION OF FIREARMS OR AMMUNITION

SEC. 1701. INTERSTATE TRANSPORTATION OF FIREARMS OR AMMUNITION.

(a) IN GENERAL.—Section 926A of title 18, United States Code, is amended to read as follows:

“§ 926A. Interstate transportation of firearms or ammunition

“(a) Notwithstanding any provision of any law, rule, or regulation of a State or any political subdivision thereof:

“(1) A person who is not prohibited by this chapter from possessing, transporting, shipping, or receiving a firearm or ammunition shall be entitled to transport a firearm for any lawful purpose from any place where the person may lawfully possess, carry, or transport the firearm to any other such place if, during the transportation, the firearm is unloaded, and—

“(A) if the transportation is by motor vehicle, the firearm is not directly accessible from the passenger compartment of the vehicle, and, if the vehicle is without a compartment separate from the passenger compartment, the firearm is in a locked container other than the glove compartment or console, or is secured by a secure gun storage or safety device; or

“(B) if the transportation is by other means, the firearm is in a locked container or secured by a secure gun storage or safety device.

“(2) A person who is not prohibited by this chapter from possessing, transporting, shipping, or receiving a firearm or ammunition shall be entitled to transport ammunition for any lawful purpose from any place where the person may lawfully possess, carry, or transport the ammunition, to any other such place if, during the transportation, the ammunition is not loaded into a firearm, and—

“(A) if the transportation is by motor vehicle, the ammunition is not directly accessible from the passenger compartment of the vehicle, and, if the vehicle is without a compartment separate from the passenger compartment, the ammunition is in a locked container other than the glove compartment or console; or

“(B) if the transportation is by other means, the ammunition is in a locked container.

“(b) In subsection (a), the term ‘transport’ includes staying in temporary lodging overnight, stopping for food, fuel, vehicle maintenance, an emergency, medical treatment, and any other activity incidental to the transport, but does not include transportation—

“(1) with the intent to commit a crime punishable by imprisonment for a term exceeding one year that involves the use or threatened use of force against another; or

“(2) with knowledge, or reasonable cause to believe, that such a crime is to be committed in the course of, or arising from, the transportation.

“(c)(1) A person who is transporting a firearm or ammunition may not be arrested or otherwise detained for violation of any law or any rule or regulation of a State or any political subdivision thereof related to the possession, transportation, or carrying of firearms, unless there is probable cause to believe that the person is doing so in a manner not provided for in subsection (a).

“(2) When a person asserts this section as a defense in a criminal proceeding, the prosecution shall bear the burden of proving, beyond a reasonable doubt, that the conduct of the person did not satisfy the conditions set forth in subsection (a).

“(3) When a person successfully asserts this section as a defense in a criminal proceeding, the court shall award the prevailing defendant a reasonable attorney’s fee.

“(d)(1) A person who is deprived of any right, privilege, or immunity secured by this section, section 926B or 926C, under color of any statute, ordinance, regulation, custom, or usage of any State or any political subdivision thereof, may bring an action in any appropriate court against any other person, including a State or political subdivision thereof, who causes the person to be subject to the deprivation, for damages and other appropriate relief.

“(2) The court shall award a plaintiff prevailing in an action brought under paragraph (1) damages and such other relief as the court deems appropriate, including a reasonable attorney’s fee.”.

(b) CLERICAL AMENDMENT.—The table of sections for such chapter is amended in the item relating to section 926A by striking “firearms” and inserting “firearms or ammunition”.

13. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HECK OF NEVADA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of the bill, add the following:

TITLE XVII—GOOD SAMARITAN SEARCH AND RECOVERY

SEC. 1701. SHORT TITLE.

This title may be cited as the “Good Samaritan Search and Recovery Act”.

SEC. 1702. EXPEDITED ACCESS TO CERTAIN FEDERAL LAND.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE.—The term “eligible”, with respect to an organization or individual, means that the organization or individual, respectively, is—

(A) acting in a not-for-profit capacity; and

(B) composed entirely of members who, at the time of the good Samaritan search-and-recovery mission, have at-

tained the age of majority under the law of the State where the mission takes place.

(2) GOOD SAMARITAN SEARCH-AND-RECOVERY MISSION.—The term “good Samaritan search-and-recovery mission” means a search conducted by an eligible organization or individual for 1 or more missing individuals believed to be deceased at the time that the search is initiated.

(3) SECRETARY.—The term “Secretary” means the Secretary of the Interior or the Secretary of Agriculture, as applicable.

(b) PROCESS.—

(1) IN GENERAL.—Each Secretary shall develop and implement a process to expedite access to Federal land under the administrative jurisdiction of the Secretary for eligible organizations and individuals to request access to Federal land to conduct good Samaritan search-and-recovery missions.

(2) INCLUSIONS.—The process developed and implemented under this subsection shall include provisions to clarify that—

(A) an eligible organization or individual granted access under this section—

(i) shall be acting for private purposes; and

(ii) shall not be considered to be a Federal volunteer;

(B) an eligible organization or individual conducting a good Samaritan search-and-recovery mission under this section shall not be considered to be a volunteer under section 102301(c) of title 54, United States Code;

(C) chapter 171 of title 28, United States Code (commonly known as the “Federal Tort Claims Act”), shall not apply to an eligible organization or individual carrying out a privately requested good Samaritan search-and-recovery mission under this section; and

(D) an eligible organization or entity who conducts a good Samaritan search-and-recovery mission under this section shall serve without pay from the Federal Government for such service.

(c) RELEASE OF FEDERAL GOVERNMENT FROM LIABILITY.—The Secretary shall not require an eligible organization or individual to have liability insurance as a condition of accessing Federal land under this section, if the eligible organization or individual—

(1) acknowledges and consents, in writing, to the provisions described in subparagraphs (A) through (D) of subsection (b)(2); and

(2) signs a waiver releasing the Federal Government from all liability relating to the access granted under this section and agrees to indemnify and hold harmless the United States from any claims or lawsuits arising from any conduct by the eligible organization or individual on Federal land.

(d) APPROVAL AND DENIAL OF REQUESTS.—

(1) IN GENERAL.—The Secretary shall notify an eligible organization or individual of the approval or denial of a request by the eligible organization or individual to carry out a good Samaritan search-and-recovery mission under this section by not later than 48 hours after the request is made.

(2) DENIALS.—If the Secretary denies a request from an eligible organization or individual to carry out a good Samaritan

search-and-recovery mission under this section, the Secretary shall notify the eligible organization or individual of—

(A) the reason for the denial of the request; and

(B) any actions that the eligible organization or individual can take to meet the requirements for the request to be approved.

(e) PARTNERSHIPS.—Each Secretary shall develop search-and-recovery-focused partnerships with search-and-recovery organizations—

(1) to coordinate good Samaritan search-and-recovery missions on Federal land under the administrative jurisdiction of the Secretary; and

(2) to expedite and accelerate good Samaritan search-and-recovery mission efforts for missing individuals on Federal land under the administrative jurisdiction of the Secretary.

(f) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretaries shall submit to Congress a joint report describing—

(1) plans to develop partnerships described in subsection (e)(1); and

(2) efforts carried out to expedite and accelerate good Samaritan search-and-recovery mission efforts for missing individuals on Federal land under the administrative jurisdiction of each Secretary pursuant to subsection (e)(2).

14. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE RIBBLE OF WISCONSIN OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of the bill add the following:

TITLE _____ —GRAY WOLVES

SEC. __01. REISSUANCE OF FINAL RULE REGARDING GRAY WOLVES IN THE WESTERN GREAT LAKES.

Before the end of the 60-day period beginning on the date of enactment of this Act, the Secretary of the Interior shall reissue the final rule published on December 28, 2011 (76 Fed. Reg. 81666), without regard to any other provision of statute or regulation that applies to issuance of such rule. Such reissuance shall not be subject to judicial review.

SEC. __02. REISSUANCE OF FINAL RULE REGARDING GRAY WOLVES IN WYOMING.

Before the end of the 60-day period beginning on the date of enactment of this Act, the Secretary of the Interior shall reissue the final rule published on September 10, 2012 (77 Fed. Reg. 55530), without regard to any other provision of statute or regulation that applies to issuance of such rule. Such reissuance shall not be subject to judicial review.

15. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE YOUNG OF ALASKA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Add at the end the following:

TITLE _____ — MISCELLANEOUS PROVISIONS

SEC. 01. PROHIBITION ON ISSUANCE OF FINAL RULE.

The Director of the United States Fish and Wildlife Service shall not issue a final rule that—

- (1) succeeds the proposed rule entitled “Non-Subsistence Take of Wildlife, and Public Participation and Closure Procedures, on National Wildlife Refuges in Alaska” (81 Fed. Reg. 887 (January 8, 2016)); or
- (2) is substantially similar to that proposed rule.

SEC. 02. WITHDRAWAL OF EXISTING RULE REGARDING HUNTING AND TRAPPING IN ALASKA.

The Director of the National Park Service shall withdraw the final rule entitled “Alaska; Hunting and Trapping in National Preserves” (80 Fed. Reg. 64325 (October 23, 2015)) by not later than 30 days after the date of the enactment of this Act, and shall not issue a rule that is substantially similar to that rule.

16. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HUFFMAN OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Add at the end the following:

TITLE _____ — PRESERVATION OF ARCTIC COASTAL PLAIN AS WILDERNESS

SEC. 01. SHORT TITLE.

This title may be cited as the “Udall-Eisenhower Arctic Wilderness Act”.

SEC. 02. FINDINGS AND STATEMENT OF POLICY.

(a) FINDINGS.—The Congress finds the following:

(1) Americans cherish the continued existence of expansive, unspoiled wilderness ecosystems and wildlife found on their public lands, and feel a strong moral responsibility to protect this wilderness heritage as an enduring resource to bequeath undisturbed to future generations of Americans.

(2) It is widely believed by ecologists, wildlife scientists, public land specialists, and other experts that the wilderness ecosystem centered around and dependent upon the Arctic coastal plain of the Arctic National Wildlife Refuge, Alaska, represents the very epitome of a primeval wilderness ecosystem and constitutes the greatest wilderness area and diversity of wildlife habitats of its kind in the United States.

(3) President Dwight D. Eisenhower initiated protection of the wilderness values of the Arctic coastal plain in 1960 when he set aside 8,900,000 acres establishing the Arctic National Wildlife Range expressly “for the purpose of preserving unique wildlife, wilderness and recreational values”.

(4) In 1980, when the Congress acted to strengthen the protective management of the Eisenhower-designated area with the enactment of the Alaska National Interest Lands Con-

ervation Act (Public Law 96-487), Representative Morris K. Udall led the effort to more than double the size of the Arctic National Wildlife Refuge and extend statutory wilderness protection to most of the original area.

(5) Before the enactment of the Alaska National Interest Lands Conservation Act, the House of Representatives twice passed legislation that would have protected the entire Eisenhower-designated area as wilderness, including the Arctic coastal plain.

(6) A majority of Americans have supported and continue to support preserving and protecting the Arctic National Wildlife Refuge, including the Arctic coastal plain, from any industrial development and consider oil and gas exploration and development in particular to be incompatible with the purposes for which this incomparable wilderness ecosystem has been set aside.

(7) When the Arctic National Wildlife Refuge was established in 1980 by paragraph (2) of section 303 of the Alaska National Interest Lands Conservation Act (Public Law 96-487; 94 Stat. 2390; 16 U.S.C. 668dd note), subparagraph (B)(iii) of such paragraph specifically stated that one of the purposes for which the Arctic National Wildlife Refuge is established and managed would be to provide the opportunity for continued subsistence uses by local residents, and, therefore, the lands designated as wilderness within the Refuge, including the area designated by this title, are and will continue to be managed consistent with such subparagraph.

(8) Canada has taken action to preserve those portions of the wilderness ecosystem of the Arctic that exist on its side of the international border and provides strong legal protection for the habitat of the Porcupine River caribou herd that migrates annually through both countries to calve on the Arctic coastal plain.

(9) The extension of full wilderness protection for the Arctic coastal plain within the Arctic National Wildlife Refuge will still leave most of the North Slope of Alaska available for the development of energy resources, which will allow Alaska to continue to contribute significantly to meeting the energy needs of the United States without despoiling the unique Arctic coastal plain of the Arctic National Wildlife Refuge.

(b) STATEMENT OF POLICY.—The Congress hereby declares that it is the policy of the United States—

(1) to honor the decades of bipartisan efforts that have increasingly protected the great wilderness ecosystem of the Arctic coastal plain;

(2) to sustain this natural treasure for the current generation of Americans; and

(3) to do everything possible to protect and preserve this magnificent natural ecosystem so that it may be bequeathed in its unspoiled natural condition to future generations of Americans.

SEC. 03. DESIGNATION OF ADDITIONAL WILDERNESS, ARCTIC NATIONAL WILDLIFE REFUGE, ALASKA.

(a) INCLUSION OF ARCTIC COASTAL PLAIN.—In furtherance of the Wilderness Act (16 U.S.C. 1131 et seq.), an area within the Arctic

National Wildlife Refuge in the State of Alaska comprising approximately 1,559,538 acres, as generally depicted on a map entitled "Arctic National Wildlife Refuge—1002 Area Alternative E—Wilderness Designation" and dated October 28, 1991, is hereby designated as wilderness and, therefore, as a component of the National Wilderness Preservation System. The map referred to in this subsection shall be available for inspection in the offices of the Secretary of the Interior.

(b) ADMINISTRATION.—The Secretary of the Interior shall administer the area designated as wilderness by subsection (a) in accordance with the Wilderness Act as part of the wilderness area already in existence within the Arctic National Wildlife Refuge as of the date of the enactment of this Act.

17. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
LOWENTHAL OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

Add at the end the following:

**TITLE _____ — MISCELLANEOUS
PROVISIONS**

SEC. ____ . PERIODIC INCREASE IN PRICE OF MIGRATORY BIRD HUNTING AND CONSERVATION STAMP TO ACCOUNT FOR INFLATION.

Section 2 of the Migratory Bird Hunting and Conservation Stamp Act (16 U.S.C. 718b) is amended—

(1) in subsection (b), by striking "The Postal" and inserting "Except as provided in subsections (c) and (d), the Postal"; and

(2) by adding at the end of the following:

"(d) INCREASE IN PRICE OF STAMP.—

"(1) INCREASE AUTHORIZED.—The Secretary may, after notice and public comment, increase the price of each stamp sold under this section by an amount not to exceed \$10 for a hunting year if the Secretary determines the increase—

"(A) is commensurate with the level of inflation as determined by the adjustments in the Consumer Price Index since the last increase; and

"(B) is approved unanimously by the Migratory Bird Conservation Commission.

"(2) EFFECTIVE DATE OF INCREASE.—An increase in price under paragraph (1) shall take effect—

"(A) no earlier than 2 years after the effective date of the last increase in price; and

"(B) no later than January 1 of the calendar year preceding the hunting year."