

NATIONAL FOREST SYSTEM TRAILS STEWARDSHIP ACT

SEPTEMBER 20, 2016.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. CONAWAY, from the Committee on Agriculture,
submitted the following

R E P O R T

[To accompany H.R. 845]

[Including cost estimate of the Congressional Budget Office]

The Committee on Agriculture, to whom was referred the bill (H.R. 845) to direct the Secretary of Agriculture to publish in the Federal Register a strategy to significantly increase the role of volunteers and partners in National Forest System trail maintenance, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “National Forest System Trails Stewardship Act”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings.
- Sec. 3. Definitions.
- Sec. 4. National forest system trails volunteer and partnership strategy.
- Sec. 5. Priority trail maintenance program.
- Sec. 6. Cooperative agreements.
- Sec. 7. Stewardship credits for outfitters and guides.

SEC. 2. FINDINGS.

Congress finds as follows:

(1) The National Forest System features a world-class trail system with over 157,000 miles of trails that provide world-class opportunities for hiking, horseback riding, hunting, mountain bicycling, motorized vehicles, and other outdoor activities.

(2) According to the Government Accountability Office, the Forest Service is only able to maintain about one-quarter of National Forest System trails to the agency standard, and the agency faces a trail maintenance backlog of \$314,000,000, and an additional backlog of \$210,000,000 in annual maintenance, capital improvements, and operations.

(3) The lack of maintenance on National Forest System trails threatens access to public lands, and may cause increased environmental damage, threaten public safety, and increase future maintenance costs.

(4) Federal budget limitations require solutions to National Forest System trail maintenance issues that make more efficient use of existing resources.

(5) Volunteers, partners, and outfitters and guides play an important role in maintaining National Forest System trails, and a comprehensive strategy is needed to ensure that volunteers and partners are used as effectively as possible.

SEC. 3. DEFINITIONS.

In this Act:

(1) ADMINISTRATIVE UNIT.—The term “Administrative Unit” means a national forest or national grassland.

(2) OUTFITTER OR GUIDE.—The term “outfitter or guide” means an individual, organization, or business who provides outfitting or guiding services, as defined in section 251.51 of title 36, Code of Federal Regulations.

(3) PARTNER.—The term “partner” means a non-Federal entity that engages in a partnership.

(4) PARTNERSHIP.—The term “partnership” means arrangements between the Department of Agriculture or the Forest Service and a non-Federal entity that are voluntary, mutually beneficial, and entered into for the purpose of mutually agreed upon objectives.

(5) PRIORITY AREA.—The term “priority area” means a well-defined region on National Forest System land selected by the Secretary under section 5(a).

(6) SECRETARY.—The term “Secretary” means the Secretary of Agriculture.

(7) STRATEGY.—The term “strategy” means the National Forest System Trails Volunteer and Partnership Strategy authorized by section 4(a).

(8) TRAIL MAINTENANCE.—The term “trail maintenance” means any activity to maintain the usability and sustainability of trails within the National Forest System, including—

- (A) ensuring trails are passable by the users for which they are managed;
- (B) preventing environmental damage resulting from trail deterioration;
- (C) protecting public safety; and
- (D) averting future deferred maintenance costs.

(9) VOLUNTEER.—The term “volunteer” means an individual whose services are accepted by the Secretary without compensation under the Volunteers in the National Forests Act of 1972 (16 U.S.C. 558a et seq.).

SEC. 4. NATIONAL FOREST SYSTEM TRAILS VOLUNTEER AND PARTNERSHIP STRATEGY.

(a) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall publish in the Federal Register a strategy to significantly increase the role of volunteers and partners in trail maintenance.

(b) REQUIRED ELEMENTS.—The strategy required by subsection (a) shall—

(1) augment and support the capabilities of Federal employees to carry out or contribute to trail maintenance;

(2) provide meaningful opportunities for volunteers and partners to carry out trail maintenance in each region of the Forest Service;

(3) address the barriers to increased volunteerism and partnerships in trail maintenance identified by volunteers, partners, and others;

(4) prioritize increased volunteerism and partnerships in trail maintenance in those regions with the most severe trail maintenance needs, and where trail maintenance backlogs are jeopardizing access to National Forest lands; and

(5) aim to increase trail maintenance by volunteers and partners by 100 percent by the date that is 5 years after the date of the enactment of this Act.

(c) ADDITIONAL REQUIREMENT.—As a component of the strategy, the Secretary shall study opportunities to improve trail maintenance by addressing opportunities to use fire crews in trail maintenance activities in a manner that does not jeopardize firefighting capabilities, public safety, or resource protection. Upon a determination that trail maintenance would be advanced by use of fire crews in trail maintenance, the Secretary shall incorporate these proposals into the strategy, subject to such terms and conditions as the Secretary determines to be necessary.

(d) VOLUNTEER LIABILITY.—

(1) IN GENERAL.—Section 3 of the Volunteers in the National Forests Act of 1972 (16 U.S.C. 558c) is amended by adding at the end the following new subsection:

“(e) For the purposes of subsections (b), (c), and (d), the term ‘volunteer’ includes a person providing volunteer services to the Secretary who—

“(1) is recruited, trained, and supported by a cooperator under a mutual benefit agreement with the Secretary; and

“(2) performs such volunteer services under the supervision of the cooperator as directed by the Secretary in the mutual benefit agreement, including direction that specifies—

“(A) the volunteer services to be performed by the volunteers and the supervision to be provided by the cooperator;

“(B) the applicable project safety standards and protocols to be adhered to by the volunteers and enforced by the cooperator; and

“(C) the on-site visits to be made by the Secretary, when feasible, to verify that volunteers are performing the volunteer services and the cooperator is providing the supervision agreed upon.”

(2) **ADDITIONAL REQUIREMENT.**—Not later than 2 years after the date of the enactment of this Act, the Secretary shall adopt regulations implementing this section. These regulations shall ensure that the financial risk from claims or liability associated with volunteers undertaking trail maintenance is shared by all administrative units.

(e) **CONSULTATION.**—The Secretary shall develop the strategy in consultation with volunteer and partner trail maintenance organizations, a broad array of outdoor recreation stakeholders, and other relevant stakeholders.

(f) **VOLUNTEER AND PARTNERSHIP COORDINATION.**—The Secretary shall require each administrative unit to develop a volunteer and partner coordination implementation plan for the strategy which clearly defines roles and responsibilities for the administrative unit and district staff, and includes strategies to ensure sufficient coordination, assistance, and support for volunteers and partners to improve trail maintenance.

(g) **REPORT.**—

(1) **CONTENTS.**—The Secretary shall prepare a report on—

(A) the effectiveness of the strategy in addressing the trail maintenance backlog;

(B) the increase in volunteerism and partnership efforts on trail maintenance as a result of the strategy;

(C) the miles of National Forest System trails maintained by volunteers and partners, and the approximate value of the volunteer and partnership efforts;

(D) the status of the stewardship credits for outfitters and guides pilot program described in section 7 that includes the number of participating sites, total amount of the credits offered, estimated value of trail maintenance performed, and suggestions for revising the program; and

(E) recommendations for further increasing volunteerism and partnerships in trail maintenance.

(2) **SUBMISSION.**—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit the report required by paragraph (1) to—

(A) the Committee on Agriculture, Nutrition, and Forestry and the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Agriculture and the Committee on Natural Resources of the House of Representatives.

SEC. 5. PRIORITY TRAIL MAINTENANCE PROGRAM.

(a) **SELECTION.**—In accordance with subsections (b) and (c), not later than 6 months after the date of the enactment of this Act, the Secretary of Agriculture shall select no fewer than 9 and no more than 15 priority areas for increased trail maintenance accomplishments.

(b) **CRITERIA.**—Priority areas shall include a well-defined region on National Forest System land where the lack of trail maintenance has—

(1) reduced access to public land;

(2) led to an increase, or risk of increase, in harm to natural resources;

(3) jeopardized public safety;

(4) resulted in trails being impassible by the intended managed users; or

(5) increased future deferred trail maintenance costs.

(c) **REQUIREMENTS.**—In selecting priority areas, the Secretary shall—

(1) consider any public input on priority areas received within 3 months of the date of enactment of this Act;

(2) consider the range of trail users (including motorized and non-motorized trail users); and

(3) include at least one priority area in each region of the United States Forest Service.

(d) **INCREASED TRAIL MAINTENANCE.**—

(1) **IN GENERAL.**—Within 6 months of the selection of priority areas under subsection (a), and in accordance with paragraph (2), the Secretary shall de-

velop an approach to substantially increase trail maintenance accomplishments within each priority area.

(2) **CONTENTS.**—In developing the approach under paragraph (1), the Secretary shall—

(A) consider any public input on trail maintenance priorities and needs within any priority area;

(B) consider the costs and benefits of increased trail maintenance within each priority area; and

(C) incorporate partners and volunteers in the trail maintenance.

(3) **REQUIRED TRAIL MAINTENANCE.**—Utilizing the approach developed under paragraph (1), the Secretary shall substantially increase trail maintenance within each priority area.

(e) **COORDINATION.**—The regional volunteer and partnership coordinators may be responsible for assisting partner organizations in developing and implementing volunteer and partnership projects to increase trail maintenance within priority areas.

(f) **REVISION.**—The Secretary shall periodically review the priority areas to determine whether revisions are necessary and may revise the priority areas, including the selection of new priority areas or removal of existing priority areas, at his sole discretion.

SEC. 6. COOPERATIVE AGREEMENTS.

(a) **IN GENERAL.**—The Secretary may enter into a cooperative agreement with any State, tribal, local governmental, and private entity to carry out this Act.

(b) **CONTENTS.**—Cooperative agreements authorized under this section may—

(1) improve trail maintenance in a priority area;

(2) implement the strategy; or

(3) advance trail maintenance in a manner deemed appropriate by the Secretary.

SEC. 7. STEWARDSHIP CREDITS FOR OUTFITTERS AND GUIDES.

(a) **PILOT PROGRAM.**—Within 1 year after the date of enactment of this Act, in accordance with this section, the Secretary shall establish a pilot program on not less than 20 administrative units to offset all or part of the land use fee for an outfitting and guiding permit by the cost of the work performed by the permit holder to construct, improve, or maintain National Forest System trails, trailheads, or developed sites that support public use under terms established by the Secretary.

(b) **ADDITIONAL REQUIREMENTS.**—In establishing the pilot program authorized by subsection (a), the Secretary shall—

(1) select administrative units where the pilot program will improve trail maintenance; and

(2) establish appropriate terms and conditions, including meeting National Quality Standards for Trails and the Trail Management Objectives identified for the trail.

BRIEF EXPLANATION

The National Forest System Trails Stewardship Act, H.R. 845, directs the Secretary of Agriculture to publish a national strategy to significantly increase the role of volunteers and partners for National Forest System trail maintenance.

PURPOSE AND NEED FOR THE LEGISLATION

The United States Forest Service (USFS or Forest Service) is facing a \$500 million backlog in trail maintenance costs of the National Forest Service trail system. In 2013, the Government Accountability Office (GAO) released a report that recognized the importance of volunteers for trail maintenance and recommended taking steps to improve management of volunteers.

This legislation improves the state of Forest Service resources by using volunteers to improve Forest Service trail maintenance.

The bill requires the USFS to produce a national strategy to maximize use of volunteers and partners and eliminates challenges that have prevented increased use of volunteers, such as liability concerns raised by the Forest Service.

The Committee believes that refocusing on volunteers and partners to help the USFS is a commonsense way of making progress on the backlog and opening up these trails to public access. Using volunteers across the nation in the remediation of our deteriorating National Forest Service trails is a cost effective solution.

SECTION-BY-SECTION ANALYSIS OF LEGISLATION

Section 1. Short title; Table of contents

Section 1 of the bill designates the title of the bill as the “National Forest Trails Stewardship Act” and provides the table of contents.

Section 2. Findings

Section 2 of the bill provides Congressional findings related to issues with trail maintenance in the National Forest System.

Section 3. Definitions

Section 3 is the definitions section defining key terms including “outfitter or guide,” “partner” and “partnership,” “priority landscape,” “trail maintenance,” and “volunteer.” Definitions mirror existing law, where possible.

Section 4. National Forest trails volunteer and partnership strategy

Subsection (a) of section 4 directs the Secretary to publish a strategy to significantly increase the role of volunteers and partners in trail maintenance.

Subsection (b) enumerates the required elements for the published strategy.

Subsection (c) requires the Secretary to study opportunities to use fire crews in trail maintenance activities and incorporate such proposals into the required strategy.

Subsection (d) amends the Volunteers in the National Forests Act of 1972, deeming volunteers affiliated with partner organizations Federal employees for the purposes of liability claims and provides for the adoption of regulations for implementation.

Subsection (e) requires consultation with volunteer and partner trail maintenance organizations and other relevant stakeholders.

Subsection (f) requires the designation of volunteer and partnership coordinators in each region of the Forest Service.

Subsection (g) directs the Secretary to, three years after the date of enactment, submit to Congress, a report on the effectiveness of the strategy, the increase in volunteer and partnership efforts and the number of miles of trails maintained, among other recommendations.

Section 5. Priority Trail Maintenance Program

Subsection (a) of section 5 requires the Secretary to identify nine to fifteen priority landscapes for increased trail maintenance.

Subsection (b) establishes specified criteria for selecting these landscapes.

Subsection (c) requires that the Secretary shall consider public input and the range of trail users when selecting priority areas. The Secretary must also include at least one priority area in each region of the U.S. Forest Service.

Subsection (d) directs the Secretary, within six months, to develop an approach to substantially increase trail maintenance within each priority area.

Subsection (e) allows for regional volunteer and partnership coordinators to be responsible for assisting partner organizations in developing and implementing volunteer and partnership projects to increase maintenance within priority areas.

Subsection (f) directs the Secretary to periodically review priority areas to determine whether revisions are necessary.

Section 6. Cooperative agreements

Subsection (a) of section 6 authorizes the Secretary of Agriculture to enter into cooperative agreements with States, local governments, Tribes, and private entities to implement the legislation.

Subsection (b) characterizes certain contents of the agreements.

Section 7. Stewardship credits for outfitters and guides

Subsection (a) of section 7 establishes, within one year of the date of enactment, a pilot program for outfitters and guides to offset some permit fees through work on trail maintenance performed by the permit holder to construct, improve, or maintain National Forest System trails, trailheads, or developed sites.

COMMITTEE CONSIDERATION

I. HEARINGS

No hearings were held by the Committee on the National Forest Trails Stewardship Act.

II. FULL COMMITTEE

The Committee on Agriculture met, pursuant to notice, with a quorum present, on September 14, 2016, to consider H.R. 845, the National Forest Trails Stewardship Act.

Chairman Conaway asked unanimous consent that the Subcommittee on Conservation and Forestry be discharged from further consideration of H.R. 845, and without objection, it was so ordered. H.R. 845 was then placed before the Committee for consideration. Without objection, a first reading of the bill was waived and it was open to amendment at any point. Mr. Thompson offered an Amendment in the Nature of a Substitute to H.R. 845. Without objection, the Amendment in the Nature of a Substitute was considered as original text for purposes of amendment.

Chairman Conaway, Mr. Peterson, and Mr. Thompson were recognized for statements. There being no amendments, Mr. Peterson was recognized to offer a motion that the Amendment in the Nature of a Substitute to H.R. 845 be approved. The Amendment in the Nature of a Substitute was adopted by voice vote. Mr. Peterson was then recognized to offer a motion that the bill H.R. 845 be reported, as amended, favorably to the House with recommendation that it do pass. The motion was subsequently approved by voice vote.

At the conclusion of the meeting, Chairman Conaway advised Members that pursuant to the rules of the House of Representatives Members had until September 16, 2016 to file any supple-

mental, minority, additional, or dissenting views with the Committee.

Without objection, staff was given permission to make any necessary clerical, technical or conforming changes to reflect the intent of the Committee. Chairman Conaway thanked all the Members and adjourned the meeting.

COMMITTEE VOTES

In compliance with clause 3(b) of rule XIII of the House of Representatives, H.R. 845 was reported by voice vote with a majority quorum present. There was no request for a recorded vote.

COMMITTEE OVERSIGHT FINDINGS

Pursuant to clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Agriculture's oversight findings and recommendations are reflected in the body of this report.

BUDGET ACT COMPLIANCE (SECTIONS 308, 402, AND 423)

The provisions of clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a)(1) of the Congressional Budget Act of 1974 (relating to estimates of new budget authority, new spending authority, new credit authority, or increased or decreased revenues or tax expenditures) are not considered applicable. The estimate and comparison required to be prepared by the Director of the Congressional Budget Office under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and sections 402 and 423 of the Congressional Budget Act of 1974 submitted to the Committee prior to the filing of this report are as follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 19, 2016.

Hon. K. MICHAEL CONAWAY,
*Chairman, Committee on Agriculture,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 845, the National Forest System Trails Stewardship Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contacts are Christina Hawley Anthony and Jeff LaFave.

Sincerely,

KEITH HALL.

Enclosure.

H.R. 845—National Forest System Trails Stewardship Act

H.R. 845 would require the Forest Service to develop a strategy to double the number of volunteers engaged in trail maintenance activities on Forest Service lands. The bill also would provide liability coverage for volunteers working for partner organizations (private entities whose members donate services to the Forest Service) on those lands. Finally, the bill would establish a pilot program that would allow firms operating on Forest Service lands to conduct

trail maintenance work in lieu of paying an annual permitting fee to the agency.

Based on information provided by the Forest Service, CBO estimates that implementing the legislation would cost \$3 million a year over the 2017–2021 period, assuming appropriation of the necessary amounts. CBO also estimates that the bill would increase direct spending for additional compensation claims from volunteers related to workers compensation, torts, and lost or damaged personal property by \$1 million over the 2017–2026 period; therefore, pay-as-you-go procedures apply. Enacting the bill would not affect revenues.

CBO estimates that enacting H.R. 845 would not increase net direct spending or on-budget deficits by more than \$5 billion in any of the four consecutive 10-year periods beginning in 2027.

H.R. 845 would require the Forest Service to develop a strategy to double the number of volunteers engaged in trail maintenance activities and to prepare a report assessing the effectiveness of that strategy. In 2015, the agency spent about \$13 million to recruit and manage roughly 80,000 volunteers, of which about 25 percent were engaged in activities related to trail maintenance. CBO estimates that efforts to double volunteer participation in such activities would cost \$3 million a year over the 2017–2021 period, assuming appropriation of the necessary amounts.

The bill also would make the federal government liable for damage claims from volunteers of partner organizations that have cooperative agreements with the Forest Service. (Under current law, the Forest Service is liable for individuals who volunteer directly.) That expansion would allow volunteers who are injured in the course of their organizations' work with the Forest Service to have related medical expenses paid through the federal workers compensation program; such costs are considered mandatory spending. Based on the current ratio of volunteers in partner organizations to people who volunteer directly with the Forest Service, CBO estimates that the additional liability under the bill would increase direct spending by between \$50,000 and \$100,000 per year, and by around \$1 million over the 2017–2026 period.

In addition, H.R. 845 would extend federal liability coverage to volunteers working for partner organizations that commit torts (wrongdoing under civil, rather than criminal, law) or have personal property lost or damaged while working on Forest Service lands. Based on an analysis of information provided by the agency, CBO estimates that the cost of providing that liability coverage would be negligible over the 2017–2026 period.

Finally, the bill would allow certain firms operating on Forest Service lands to conduct trail maintenance work in lieu of paying annual permitting fees. Based on information provided by the agency, CBO estimates that enacting that provision would reduce offsetting receipts, which are treated as reductions in direct spending, by less than \$200,000 a year; however, because the Forest Service has the authority to spend those fees, reducing those receipts would reduce associated direct spending by a similar amount. Therefore, CBO estimates that enacting this provision would have no net effect on the federal budget.

H.R. 845 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

The CBO staff contacts for this estimate are Christina Hawley Anthony (federal workers compensation) and Jeff LaFave (forest service). The estimate was approved by Theresa Gullo, Assistant Director for Budget Analysis.

PERFORMANCE GOALS AND OBJECTIVES

H.R. 845 does not authorize funding, therefore, clause 3(c)(4) of rule XIII of the Rules of the House of Representatives is inapplicable.

COMMITTEE COST ESTIMATE

Pursuant to clause 3(d)(2) of rule XIII of the Rules of the House of Representatives, the Committee report incorporates the cost estimate prepared by the Director of the Congressional Budget Office pursuant to sections 402 and 423 of the Congressional Budget Act of 1974.

ADVISORY COMMITTEE STATEMENT

No advisory committee within the meaning of section 5(b) of the Federal Advisory Committee Act was created by this legislation.

APPLICABILITY TO THE LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act (Public Law 104-1).

FEDERAL MANDATES STATEMENT

The Committee adopted as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act (Public Law 104-4).

EARMARK STATEMENT REQUIRED BY CLAUSE 9 OF RULE XXI OF THE RULES OF THE HOUSE OF REPRESENTATIVES

H.R. 845 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), or 9(g) of rule XXI of the Rules of the House of Representatives.

DUPLICATION OF FEDERAL PROGRAMS

This bill does not establish or reauthorize a program of the Federal Government known to be duplicative of another Federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111-139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

DISCLOSURE OF DIRECTED RULE MAKINGS

The Committee estimates that H.R. 845 specifically directs the Secretary of Agriculture to conduct one rule making proceeding within the meaning of 5 U.S.C. 551.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (new matter is printed in italic and existing law in which no change is proposed is shown in roman):

VOLUNTEERS IN THE NATIONAL FORESTS ACT OF 1972

* * * * *

SEC. 3. (a) Except as otherwise provided in this section, a volunteer shall not be deemed a Federal employee and shall not be subject to the provisions of law relating to Federal employment, including those relating to hours of work, rates of compensation, leave, unemployment compensation, and Federal employee benefits.

(b) For the purpose of the tort claim provisions of title 28 of the United States Code, a volunteer under this Act shall be considered a Federal employee.

(c) For the purposes of subchapter I of chapter 81 of title 5 of the United States Code, relating to compensation to Federal employees for work injuries, volunteers under this Act shall be deemed civil employees of the United States within the meaning of the term "employee" as defined in section 8101 of title 5, United States Code, and the provisions of that subchapter shall apply.

(d) For the purposes of claims relating to damage to, or loss of, personal property of a volunteer incident to volunteer service, a volunteer under this Act shall be considered a Federal employee, and the provisions of 31 U.S.C. 3721 shall apply.

(e) *For the purposes of subsections (b), (c), and (d), the term "volunteer" includes a person providing volunteer services to the Secretary who—*

(1) is recruited, trained, and supported by a cooperator under a mutual benefit agreement with the Secretary; and

(2) performs such volunteer services under the supervision of the cooperator as directed by the Secretary in the mutual benefit agreement, including direction that specifies—

(A) the volunteer services to be performed by the volunteers and the supervision to be provided by the cooperator;

(B) the applicable project safety standards and protocols to be adhered to by the volunteers and enforced by the cooperator; and

(C) the on-site visits to be made by the Secretary, when feasible, to verify that volunteers are performing the volunteer services and the cooperator is providing the supervision agreed upon.

* * * * *

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September 14, 2016

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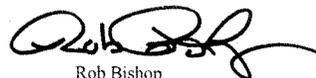
Dear Mr. Chairman:

I write concerning H.R. 845, National Forest System Trails Stewardship Act, which was recently ordered to be reported by the Committee on Agriculture. As you are aware, the bill also was referred to the Committee on Natural Resources, as the bill contains provisions within the Rule X jurisdiction of the Natural Resources Committee.

In the interest of permitting you to proceed expeditiously to floor consideration of this very important bill, this Committee agrees to discharge from further consideration of H.R. 845. I do so with the understanding that the Natural Resources Committee does not waive any future jurisdictional claim over the subject matter contained in the bill which fall within its Rule X jurisdiction. I also request that you urge the Speaker to name members of the Natural Resources Committee to any conference committee to consider such provisions.

Please place this letter into the committee report on H.R. 845 and into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you and your staff have worked regarding this matter and others between our respective committees, and congratulations on this significant achievement.

Sincerely,



Rob Bishop
Chairman

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September 13, 2016

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SCOTT C. GRAVES
 STAFF DIRECTOR
 ROBERT L. LANEW
 MINORITY STAFF DIRECTOR

The Honorable Rob Bishop
 Chairman
 Committee on Natural Resources
 U.S. House of Representatives
 1324 Longworth House Office Building
 Washington, D.C. 20515

Dear Mr. Chairman:

I appreciate your support in bringing H.R. 845, National Forest System Trails Stewardship Act, before the House of Representatives, and accordingly, understand that the Committee on Natural Resources will forego action on the bill.

The Committee on Agriculture concurs in the mutual understanding that by foregoing consideration of the bill at this time, the Committee on Natural Resources does not waive any jurisdiction over the subject matter contained in this bill or similar legislation in the future. In addition, should a conference on this bill be necessary, I would support your request to have the Committee on Natural Resources represented on the conference committee.

I will insert copies of this exchange in the Congressional Record during Floor consideration. I appreciate your cooperation regarding this legislation and look forward to continuing to work the Committee on Natural Resources as this bill moves through the legislative process.

Sincerely,

 K. Michael Conaway
 Chairman

cc: The Honorable Raul Grijalva
 The Honorable Collin C. Peterson
 The Honorable Paul Ryan, Speaker
 Mr. Thomas J. Wickham, Parliamentarian