

108TH CONGRESS
2D SESSION

H. R. 2966

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 22, 2004

Received; read twice and referred to the Committee on Energy and Natural
Resources

AN ACT

To preserve the use and access of pack and saddle stock animals on public lands, including wilderness areas, national monuments, and other specifically designated areas, administered by the National Park Service, the Bureau of Land Management, the United States Fish and Wildlife Service, or the Forest Service where there is a historical tradition of such use, and for other purposes.

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 “Right-to-Ride Live-
5 stock on Federal Lands Act of 2004”.

6 **SEC. 2. USE AND ACCESS OF PACK AND SADDLE ANIMALS**
7 **ON PUBLIC LANDS.**

8 (a) NATIONAL PARK SYSTEM LANDS.—Section 12 of
9 Public Law 91–383 (16 U.S.C. 1a–7) is amended by add-
10 ing at the end the following new subsection:

11 “(c) USE AND ACCESS OF PACK AND SADDLE ANI-
12 MALS.—

13 “(1) GENERAL RULE.—The Secretary of the
14 Interior shall provide for the management of Na-
15 tional Park System lands to preserve and facilitate
16 the continued use and access of pack and saddle
17 stock animals on such lands, including wilderness
18 areas, national monuments, and other specifically
19 designated areas, where there is a historical tradi-
20 tion of such use. As a general rule, all trails, routes,
21 and areas used by pack and saddle stock shall re-
22 main open and accessible for such use. The Sec-
23 retary may implement a proposed reduction in the
24 use and access of pack and saddle stock animals on
25 such lands only after complying with the full review

1 process required under the National Environmental
2 Policy Act of 1969 (42 U.S.C. 4321 et seq.).

3 “(2) RULES OF CONSTRUCTION.—Nothing in
4 paragraph (1) shall be construed—

5 “(A) to authorize the Secretary to refuse
6 to issue a permit for a new use of pack and
7 saddle stock animals, including use by a com-
8 mercial outfitter or guide, without complying
9 with applicable resource management plans and
10 planning processes required under this Act or
11 any other provision of law;

12 “(B) to limit the authority of the Secretary
13 to impose a temporary emergency closure of a
14 trail, route, or area to pack and saddle stock
15 animals or issue special permits; or

16 “(C) to create a preference for one rec-
17 reational use for any unit of the National Park
18 System, without consideration of the stated
19 purpose of the unit.”.

20 (b) BUREAU OF LAND MANAGEMENT LANDS.—Sec-
21 tion 302 of the Federal Land Policy and Management Act
22 of 1976 (43 U.S.C. 1732) is amended by adding at the
23 end the following new subsection:

24 “(e) USE AND ACCESS OF PACK AND SADDLE ANI-
25 MALS.—

1 “(1) GENERAL RULE.—The Secretary shall pro-
2 vide for the management of public lands to preserve
3 and facilitate the continued use and access of pack
4 and saddle stock animals on such lands, including
5 wilderness areas, national monuments, and other
6 specifically designated areas, where there is a histor-
7 ical tradition of such use. As a general rule, all
8 trails, routes, and areas used by pack and saddle
9 stock shall remain open and accessible for such use.
10 The Secretary may implement a proposed reduction
11 in the use and access of pack and saddle stock ani-
12 mals on such lands only after complying with the
13 full review process required under the National En-
14 vironmental Policy Act of 1969 (42 U.S.C. 4321 et
15 seq.).

16 “(2) RULES OF CONSTRUCTION.—Nothing in
17 paragraph (1) shall be construed—

18 “(A) to authorize the Secretary to refuse
19 to issue a permit for a new use of pack and
20 saddle stock animals, including use by a com-
21 mercial outfitter or guide, without complying
22 with applicable resource management plans and
23 planning processes required under this Act or
24 any other provision of law;

1 “(B) to limit the authority of the Secretary
2 to impose a temporary emergency closure of a
3 trail, route, or area to pack and saddle stock
4 animals or issue special permits; or

5 “(C) to create a preference for one rec-
6 reational use for any area of the public lands,
7 without consideration of the stated purpose of
8 the area.”.

9 (c) NATIONAL WILDLIFE REFUGE SYSTEM LANDS.—
10 Section 4(d) of the National Wildlife Refuge System Ad-
11 ministration Act of 1966 (16 U.S.C. 668dd(d)) is amend-
12 ed by adding at the end the following new paragraph:

13 “(5)(A) The Secretary shall provide for the manage-
14 ment of System lands to preserve and facilitate the contin-
15 ued use and access of pack and saddle stock animals on
16 such lands, including wilderness areas, national monu-
17 ments, and other specifically designated areas, where there
18 is a historical tradition of such use. As a general rule,
19 all trails, routes, and areas used by pack and saddle stock
20 shall remain open and accessible for such use. The Sec-
21 retary may implement a proposed reduction in the use and
22 access of pack and saddle stock animals on such lands only
23 after complying with the full review process required under
24 the National Environmental Policy Act of 1969 (42 U.S.C.
25 4321 et seq.).

1 “(B) Nothing in subparagraph (A) shall be con-
2 strued—

3 “(i) to authorize the Secretary to refuse to
4 issue a permit for a new use of pack and saddle
5 stock animals, including use by a commercial out-
6 fitter or guide, without complying with applicable re-
7 source management plans and planning processes re-
8 quired under this Act or any other provision of law;

9 “(ii) to limit the authority of the Secretary to
10 impose a temporary emergency closure of a trail,
11 route, or area to pack and saddle stock animals or
12 issue special permits; or

13 “(iii) to create a preference for one recreational
14 use for any unit of the System, without consider-
15 ation of the stated purpose of the unit.”.

16 (d) NATIONAL FOREST SYSTEM LANDS.—Section 15
17 of the Forest and Rangeland Renewable Resources Plan-
18 ning Act of 1974 (16 U.S.C. 1613) is amended—

19 (1) by inserting “(a)” before “REGULATIONS”;
20 and

21 (2) by adding at the end the following new sub-
22 section:

23 “(b) USE AND ACCESS OF PACK AND SADDLE ANI-
24 MALS.—

1 “(1) GENERAL RULE.—The Secretary shall pro-
2 vide for the management of National Forest System
3 lands to preserve and facilitate the continued use
4 and access of pack and saddle stock animals on such
5 lands, including wilderness areas, national monu-
6 ments, and other specifically designated areas, where
7 there is a historical tradition of such use. As a gen-
8 eral rule, all trails, routes, and areas used by pack
9 and saddle stock shall remain open and accessible
10 for such use. The Secretary may implement a pro-
11 posed reduction in the use and access of pack and
12 saddle stock animals on such lands only after com-
13 plying with the full review process required under
14 the National Environmental Policy Act of 1969 (42
15 U.S.C. 4321 et seq.).

16 “(2) RULES OF CONSTRUCTION.—Nothing in
17 paragraph (1) shall be construed—

18 “(A) to authorize the Secretary to refuse
19 to issue a permit for a new use of pack and
20 saddle stock animals, including use by a com-
21 mercial outfitter or guide, without complying
22 with applicable resource management plans and
23 planning processes required under this Act or
24 any other provision of law;

1 “(B) to limit the authority of the Secretary
2 to impose a temporary emergency closure of a
3 trail, route, or area to pack and saddle stock
4 animals or issue special permits; or

5 “(C) to create a preference for one rec-
6 reational use for any unit of the National For-
7 est System, without consideration of the stated
8 purpose of the unit.”.

9 (e) ISSUANCE OF RULES.—Not later than 120 days
10 after the date of the enactment of this Act, the Secretary
11 of the Interior and the Secretary of Agriculture shall issue
12 final rules to define the meaning of a historical tradition
13 of use of pack and saddle stock animals on Federal lands
14 for purposes of the amendments made by this section.

 Passed the House of Representatives September 21,
2004.

Attest:

JEFF TRANDAHL,

Clerk.