

The legislation would add 22 synthetic drugs to Schedule I of the Controlled Substances Act. While some of these drugs may be indeed dangerous to the public, we know very little about many of them and adding them to Schedule I would seriously hinder research.

Furthermore, by adding these synthetic drugs to Schedule I, the legislation would significantly expand the mandatory minimum found in title 21, section 841(b)(1)(C) of the U.S. Code. If an individual is convicted of selling, distributing, or making one of these drugs, he would be subject to a 20 year mandatory minimum sentence if someone is seriously injured or dies from using these drugs.

And it doesn't stop there. Adding these synthetic drugs to Schedule I would also subject this 20 year mandatory minimum to other individuals that may get wrapped up in a drug conspiracy, per title 21, section 846. Technically, a girlfriend that takes a phone message or drives her drug dealer boyfriend to a drug deal for one of these synthetic drugs could be included in the boyfriend's drug conspiracy and be subject to the same 20 year mandatory minimum if someone is seriously injured or dies from using the drugs involved in the conspiracy.

An individual who has intentionally sold, distributed, or manufactured these synthetic drugs, if they are indeed dangerous, should be held criminally responsible if someone is harmed or dies using them. However, I believe a judge, not Congress, should be the one determining the sentence based on the individual facts and circumstances.

For decades now, research and evidence has demonstrated that mandatory minimums are ineffective deterrents, waste the taxpayers' money, force judges to impose irrational sentences, and discriminate against minorities, particularly with regards to drug offenses. Unfortunately, there are already too many mandatory minimums in the federal code.

Mr. Speaker, many Americans wonder how low level drug offenders get decades long sentences. It's because of bills like this that there are thousands of low level, non-violent, first time offenders serving decades behind bars. If we ever expect to do anything about that problem and actually address the drivers of mass incarceration generally, the first step we have to take is to stop passing new mandatory minimums or bills that expand existing mandatory minimums. The mandatory minimums in the code today did not get there all at once—they got there one at a time, each one part of a larger bill, which on balance might have been a good idea. Therefore, the only way to stop passing new mandatory minimums is to stop passing bills that contain mandatory minimums.

For these reasons, I urge my colleagues to vote No on H.R. 3537.

Mr. BLUMENAUER. Mr. Speaker, today, I will vote against H.R. 3537. No doubt many of these substances are horrific, and none of us wants to see people abusing them. DEA can act on these drugs, has a process to do it, and should start down that path immediately. However, if we are going to deal with Schedule I, the first thing we should do is eliminate marijuana from Schedule I, which enabled the failed policy of prohibition. Political interference is what got us here in the first place, and we should fix it.

The SPEAKER pro tempore. The question is on the motion offered by

the gentleman from Kentucky (Mr. GUTHRIE) that the House suspend the rules and pass the bill, H.R. 3537, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. AMASH. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

#### CLARIFICATION OF TREATMENT OF ELECTRONIC SALES OF LIVESTOCK ACT OF 2016

Mr. ROUZER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5883) to amend the Packers and Stockyards Act, 1921, to clarify the duties relating to services furnished in connection with the buying or selling of livestock in commerce through online, video, or other electronic methods, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5883

*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 "Clarification of Treatment of Electronic Sales of Livestock Act of 2016".

#### SEC. 2. DEFINITION OF MARKET AGENCY.

(a) IN GENERAL.—Section 301(c) of the Packers and Stockyards Act, 1921 (7 U.S.C. 201(c)) is amended—

(1) by striking “; and” at the end and inserting a period; and

(2) by adding at the end the following: “Beginning on the date of the enactment of the Clarification of Treatment of Electronic Sales of Livestock Act of 2016, such term includes any person who engages in the business of buying or selling livestock, on a commission or other fee basis, through the use of online, video, or other electronic methods when handling or providing the means to handle receivables or proceeds from such buying or selling, so long as such person's annual average of online, video, or electronic sales of livestock, on a commission or other fee basis, exceeds \$250,000.”.

(b) TECHNICAL AMENDMENTS.—Section 301 of the Packers and Stockyards Act, 1921 (7 U.S.C. 201) is amended—

(1) in the matter preceding subsection (a), by striking “When used in this Act—” and inserting “In this Act.”;

(2) in subsection (a), by striking the semicolon at the end and inserting a period; and

(3) in subsection (b)—

(A) by striking “weighting” and inserting “weighing”; and

(B) by striking the semicolon at the end and inserting a period.

#### SEC. 3. METHODS TO TRANSFER FUNDS.

Section 409(a) of the Packers and Stockyards Act, 1921 (7 U.S.C. 228b(a)) is amended—

(1) in the first proviso, by striking “shall wire transfer funds to the seller's account” each place it appears and inserting “shall transfer funds for the full amount of the purchase price to the account of the seller by

wire, electronic funds transfer, or any other expeditious method determined appropriate by the Secretary”; and

(2) in the second proviso, by striking “or dealer shall wire transfer funds” and inserting “or dealer shall transfer funds for the full amount of the purchase price by wire, electronic funds transfer, or any other expeditious method determined appropriate by the Secretary”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. ROUZER) and the gentleman from Minnesota (Mr. PETERSON) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

#### GENERAL LEAVE

Mr. ROUZER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. ROUZER. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 5883, the Clarification of Treatment of Electronic Sales of Livestock Act of 2016.

The bill before us today makes simple, targeted reforms to an outdated statute in order to make it compatible with new practices that have come about because of advances in technology.

The Packers and Stockyards Act was enacted to protect buyers and sellers of livestock from unfair, deceptive, and discriminatory practices. However, the statute has not undergone a thorough revision since being enacted in 1921, resulting in various outdated requirements.

To account for the current practices that businesses use to buy and sell livestock, H.R. 5883 makes clarifying modifications, ensuring that the protections of the Packers and Stockyards Act apply to those who buy and sell livestock online on a commission or other fee basis.

The Packers and Stockyards Act of 1921 references only two forms of payment methods acceptable under the act's prompt payment requirements—checks and wire transfers. To update this provision, the bill adds electronic transfer of funds to the list of acceptable methods of payment and gives the Secretary the flexibility to approve other new methods of payment as deemed appropriate.

These commonsense changes are supported by the vast majority of the livestock community—in fact, we know of no opposition—and were unanimously supported by my colleagues on the House Agriculture Committee.

I urge my colleagues to support these important modifications with their vote for this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. PETERSON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 5883 makes a very narrow fix to help bring the Packers and Stockyards Act to the 21st century.

The bill is the result of a thorough review of the act to identify areas for modernization. The committee worked with the industry to provide clarity in the law regarding certain practices related to online transactions in the livestock markets. H.R. 5883 passed the Agriculture Committee by voice vote and has the support of seven major agriculture organizations.

Again, this is a very straightforward bill, providing for minor, technical changes to the Packers and Stockyards Act.

I urge my colleagues to vote "yes."

I yield back the balance of my time.

Mr. ROUZER. Mr. Speaker, I want to again urge all of my colleagues in this Chamber to support this bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. ROUZER) that the House suspend the rules and pass the bill, H.R. 5883, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

## NATIONAL FOREST SYSTEM TRAILS STEWARDSHIP ACT

Mr. ROUZER. Mr. Speaker, I move to suspend the rules and pass 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, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 845

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

### 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;