

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 Pennsylvania?

There was no objection.

Mr. THOMPSON of Pennsylvania. I yield myself such time as I may consume.

Mr. Speaker, I thank leadership for allowing H.R. 2937 to come to the floor. This legislation, introduced by my friend from Illinois (Mr. LAHOOD), will help address the challenge of abandoned coal mines present in many affected communities across the Nation.

The Community Reclamation Partnerships Act enables States to partner with Good Samaritan entities to reclaim abandoned mine sites and facilitate acid mine drainage cleanup. H.R. 2937 creates more opportunities to address this challenge.

Mr. Speaker, representing the Pennsylvania Fifth Congressional District, just to note, my congressional district has more abandoned mine sites than any congressional district in the country, so I am very grateful for the leadership that Mr. LAHOOD has shown in bringing H.R. 2937 forward.

Mr. Speaker, I urge adoption of this measure, and I reserve the balance of my time.

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

Mr. Speaker, H.R. 2937, introduced by Representative LAHOOD, is a step forward for communities looking to address abandoned coal mines in their backyards by partnering with Good Samaritans seeking to help.

The Commonwealth of Virginia, my home State, estimates that it will need over \$400 million to clean up all of its remaining abandoned coal mines and, while this bill is no substitute for a long-term reauthorization of the Abandoned Mine Land fund, every little bit helps.

Each project funded by a Good Samaritan through this bill will help one more community make their economy stronger and their environment healthier.

A hearing on a discussion draft of this bill brought a number of problematic issues to light, but I greatly appreciate the willingness of the bill's sponsor and the majority staff of the Natural Resources Committee to reach across the aisle and work with us on a bipartisan agreement that was able to achieve unanimous consent in the Natural Resources Committee.

I thank the sponsor for his diligent and collaborative work on this bill, and I ask my colleagues to support H.R. 2937.

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. LAHOOD).

Mr. LAHOOD. Mr. Speaker, I want to thank Chairman THOMPSON and the

ranking member for helping to bring this bill, in a bipartisan way, to the floor. I appreciate your support on H.R. 2937.

This legislation will help address the complex legal and funding-related challenges for abandoned mine lands across the Nation.

The Community Reclamation Partnerships Act amends the Surface Mining Control and Reclamation Act of 1977 to enable States to partner with nongovernmental entities to reclaim abandoned mine sites and facilitate acid mine drainage cleanup across the country.

Nongovernmental entities, like Trout Unlimited, have recognized the need for reclamation in coal communities and are willing to contribute their resources and expertise to address the problem. Unfortunately, liability and regulatory concerns have discouraged them from participating and partnering with the States on reclamation projects. This legislation enables nongovernmental entities' participation in State reclamation programs by minimizing undeserved liability and codifying proven practices established by the State reclamation agencies.

This legislation also addresses a frequent problem that States experience in addressing water pollution at abandoned mine land sites. States must choose between risking noncompliance under the Clean Water Act or foregoing acid mine drainage abatement projects altogether. Some States, like Pennsylvania, have successfully addressed this problem by establishing their own guidelines for the treatment of water pollution at abandoned mine land sites. These State-specific strategies have resulted in successful water treatment projects and a significant reduction in acid mine drainage in several States. We want to replicate that across the country with this legislation.

Currently, State reclamation activities have been funded solely by fees levied on the coal industry over the past four decades. These fees have resulted in reclamation of approximately \$4 billion of abandoned mine land liabilities. However, according to the Department of the Interior, the estimated remediation costs exceeds \$10 billion across the country.

The outstanding abandoned mine land liabilities in Illinois, my home State, is \$156 million; and in my district, the 18th Congressional District, it is \$17 million. The cost of reclaiming these sites will continue to strain State resources in the coming decades, and the conditions of these sites will only worsen over time.

In short, this bill empowers State and local community leaders who want to assist in abandoned mine cleanup efforts so that future development can occur in these areas. No group should be punished for wanting to help out their local community in a responsible way.

Mr. Speaker, H.R. 2937 brings more resources to bear on this considerable

challenge, and I urge adoption of this bipartisan measure.

Mr. MCEACHIN. Mr. Speaker, I yield back the balance of my time.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I would just ask my colleagues to support this piece of legislation. I am very appreciative to the author of this bill for his leadership. Having a congressional district that has significant presence of abandoned mine lands, I know that the authorities and the protections he is seeking here will be good for all, for the communities, for the environment, and for the economy.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. THOMPSON) that the House suspend the rules and pass the bill, H.R. 2937.

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

A motion to reconsider was laid on the table.

GUIDES AND OUTFITTERS ACT

Mr. LAMALFA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 289) to authorize the Secretary of the Interior and the Secretary of Agriculture to issue permits for recreation services on lands managed by Federal agencies, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 289

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; DEFINITIONS.

(a) SHORT TITLE.—This Act may be cited as the "Guides and Outfitters Act" or the "GO Act".

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

- Sec. 1. Short title; table of contents; definitions.
- Sec. 2. Special recreation permit and fee.
- Sec. 3. Permit across multiple jurisdictions.
- Sec. 4. Guidelines and permit fee calculation.
- Sec. 5. Use of permit fees for permit administration.
- Sec. 6. Adjustment to permit use reviews.
- Sec. 7. Authorization of temporary permits for new uses for the Forest Service and BLM.
- Sec. 8. Indemnification requirements.
- Sec. 9. Streamlining of permitting process.
- Sec. 10. Cost recovery reform.
- Sec. 11. Extension of Forest Service recreation priority use permits.

(c) DEFINITIONS.—In this Act:

(1) SECRETARY.—The term "Secretary" means—

(A) the Secretary of the Interior, with respect to a Federal land management agency (other than the Forest Service); and

(B) the Secretary of Agriculture, with respect to the Forest Service.

(2) SECRETARIES.—The term "Secretaries" means the Secretary of the Interior and the Secretary of Agriculture acting jointly.

SEC. 2. SPECIAL RECREATION PERMIT AND FEE.

Subsection (h) of section 803 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6802) is amended to read as follows:

“(h) SPECIAL RECREATION PERMIT AND FEE.—

“(1) IN GENERAL.—The Secretary may—

“(A) issue a special recreation permit for Federal recreational lands and waters; and

“(B) charge a special recreation permit fee in connection with the issuance of the permit.

“(2) SPECIAL RECREATION PERMITS.—The Secretary may issue special recreation permits in the following circumstances:

“(A) For specialized individual and group use of Federal facilities and Federal recreational lands and waters, such as, but not limited to, use of special areas or areas where use is allocated, motorized recreational vehicle use, and group activities or events.

“(B) To recreation service providers who conduct outfitting, guiding, and other recreation services on Federal recreational lands and waters managed by the Forest Service, Bureau of Land Management, Bureau of Reclamation, or the United States Fish and Wildlife Service.

“(C) To recreation service providers who conduct recreation or competitive events, which may involve incidental sales on Federal recreational lands and waters managed by the Forest Service, Bureau of Land Management, Bureau of Reclamation, or the United States Fish and Wildlife Service.

“(3) REDUCTION IN FEDERAL COSTS AND DULPLICATION OF ANALYSIS.—

“(A) IN GENERAL.—The issuance of a new special recreation permit for activities under paragraph (2) shall be categorically excluded from further analysis and documentation under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), if the proposed use is the same as or similar to a previously authorized use and the Secretary determines that such issuance does not have significant environmental effects based upon application of the extraordinary circumstances procedures established by the Secretary under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(B) DEFINITION.—For the purposes of this paragraph, the term ‘similar’ means—

“(i) substantially similar in type, nature, and scope; and

“(ii) will not result in significant new impacts.

“(4) RELATION TO FEES FOR USE OF HIGHWAYS OR ROADS.—An entity that pays a special recreation permit fee shall not be subject to a road cost-sharing fee or a fee for the use of highways or roads that are open to private, noncommercial use within the boundaries of any Federal recreational lands or waters, as authorized under section 6 of Public Law 88-657 (16 U.S.C. 537).”

SEC. 3. PERMIT ACROSS MULTIPLE JURISDICTIONS.

(a) IN GENERAL.—In the case of an activity requiring permits pursuant to subsection (h) of section 803 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6802) for use of lands managed by both the Forest Service and the Bureau of Land Management—

(1) the Secretaries may issue a joint permit based upon a single application to both agencies when issuance of a joint permit based upon a single application will lower processing and other administration costs for the permittee, provided that the permit applicant shall have the option to apply for separate permits rather than a joint permit; and

(2) the permit application required under paragraph (1) shall be—

(A) the application required by the lead agency; and

(B) submitted to the lead agency.

(b) REQUIREMENTS OF THE LEAD AGENCY.—The lead agency for a permit under subsection (a) shall—

(1) coordinate with the associated agencies, consistent with the authority of the Secretaries under section 330 of the Department of the Interior and Related Agencies Appropriations Act, 2001 (43 U.S.C. 1703), to develop and issue the single, joint permit that covers the entirety of the trip;

(2) in processing the joint permit application, incorporate the findings, interests, and needs of the associated agencies, provided that such coordination shall not be subject to cost recovery; and

(3) complete the permitting process within a reasonable time after receiving the permit application.

(c) EFFECT ON REGULATIONS.—Nothing in this section shall alter, expand, or limit the applicability of any Federal law (including regulations) to lands administered by the relevant Federal agencies.

(d) DEFINITIONS.—In this section:

(1) ASSOCIATED AGENCY.—The term “associated agency” means an agency that manages the land on which the trip of the special recreation permit applicant will enter after leaving the land managed by the lead agency.

(2) LEAD AGENCY.—The term “lead agency” means the agency that manages the land on which the trip of the special recreation permit applicant will begin.

SEC. 4. GUIDELINES AND PERMIT FEE CALCULATION.

(a) GUIDELINES AND EXCLUSION OF CERTAIN REVENUES.—The Secretary shall—

(1) publish guidelines in the Federal Register for establishing recreation permit fees; and

(2) provide appropriate deductions from gross revenues used as the basis for the fees established under paragraph (1) for—

(A) revenue from goods, services, and activities provided by a recreation service provider outside Federal recreational lands and waters, such as costs for transportation, lodging, and other services before or after a trip; and

(B) fees to be paid by permit holder under applicable law to provide services on other Federal lands, if separate permits are issued to that permit holder for a single event or trip.

(b) FEE CONDITIONS.—The fee charged by the Secretary for a permit issued under section 803(h) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6802(h)) shall not exceed 3 percent of the recreational service provider's annual gross revenue for activities authorized by the permit on Federal lands, plus applicable revenue additions, minus applicable revenue exclusions or a similar flat per person fee.

(c) DISCLOSURE OF FEES.—A holder of a special recreation permit may inform its customers of the various fees charged by the Secretary under section 803(h) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6802(h)).

SEC. 5. USE OF PERMIT FEES FOR PERMIT ADMINISTRATION.

(a) DEPOSITS.—Subject to subsection (b), revenues from special recreation permits issued to recreation service providers under subparagraphs (B) and (C) of section 803(h)(2) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6802(h)(2)) shall be held in special accounts established for each specific unit or area for which such revenues are collected, and shall remain available for expenditure, without further appropriation, until expended.

(b) USE OF PERMIT FEES.—Revenues from special recreation permits issued to recre-

ation service providers under subparagraphs (B) and (C) of section 803(h)(2) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6802(h)(2)) shall be used only—

(1) to partially offset the Secretary's direct cost of administering the permits;

(2) to improve and streamline the permitting process; and

(3) for related recreation infrastructure and other purposes specifically to support recreation activities at the specific site for which use is authorized under the permit, after obtaining input from any related permittees; provided, however, that the Federal Advisory Committee Act (5 U.S.C. App. 1 et seq.) shall not apply to any advisory committee or other group established to carry out this paragraph.

(c) LIMITATION ON USE OF FEES.—The Secretary may not use any permit fees for biological monitoring on Federal recreational lands and waters under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) for listed or candidate species.

SEC. 6. ADJUSTMENT TO PERMIT USE REVIEWS.

(a) IN GENERAL.—To the extent that the Secretary utilizes permit use reviews, in reviewing and adjusting allocations of use for permits for special uses of Federal recreational lands and waters managed by the Forest Service, and in renewing such permits, the Secretary of Agriculture shall allocate to a permit holder a level of use that is no less than the highest amount of actual annual use over the reviewed period plus 25 percent, capped at the amount of use allocated when the permit was issued unless additional capacity is available. The Secretary may assign any use remaining after adjusting allocations on a temporary basis to qualified permit holders.

(b) WAIVER.—Use reviews under subsection (a) may be waived for periods in which circumstances that prevented use of assigned capacity, such as weather, fire, natural disasters, wildlife displacement, business interruptions, insufficient availability of hunting and fishing licenses, or when allocations on permits include significant shoulder seasons. The authorizing office may approve non-use without reducing the number of service days assigned to the permit in such circumstances at the request of the permit holder. Approved non-use may be temporarily assigned to other qualified permit holders when conditions warrant.

SEC. 7. AUTHORIZATION OF TEMPORARY PERMITS FOR NEW USES FOR THE FOREST SERVICE AND BLM.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Agriculture and the Secretary of the Interior shall establish and implement a program to authorize temporary permits for new recreational uses of Federal recreational lands and waters managed by the Forest Service or the Bureau of Land Management, respectively, and to provide for the conversions of such temporary permits to long-term permits after 2 years of satisfactory operation. The issuance and conversion of such permits shall be subject to subsection (h)(3) of section 803 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6802).

SEC. 8. INDEMNIFICATION REQUIREMENTS.

(a) INDEMNIFICATION.—A permit holder that is prohibited by the State from providing indemnification to the Federal Government shall be considered to be in compliance with indemnification requirements of the Department of the Interior and the Department of Agriculture if the permit holder carries the required minimum amount of liability insurance coverage or is self-insured for the same minimum amount.

(b) EXCULPATORY AGREEMENTS.—The Secretary shall not implement, administer or

enforce any regulation or policy prohibiting the use of exculpatory agreements between recreation service providers and their customers for services provided under a special recreation permit.

SEC. 9. STREAMLINING OF PERMITTING PROCESS.

(a) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Agriculture shall revise part 251, subpart B, of title 36 Code of Federal Regulations, and the Secretary of the Interior shall revise subpart 2932, of title 43, Code of Federal Regulations, to streamline the processes for the issuance and renewal of outfitter and guide special use permits. Such amended regulations shall—

(1) shorten application processing times and minimize application and administration costs; and

(2) provide for the use of programmatic environmental assessments and categorical exclusions for environmental reviews under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for the issuance or renewal of outfitter and guide and similar recreation special use permits when the Secretary determines that such compliance is required, to the maximum extent allowable under applicable law, including, but not limited to, use of a categorical exclusion as provided under section 803(h)(3) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6802(h)(3)).

(b) ONLINE APPLICATIONS.—To the maximum extent practicable, where feasible and efficient, the Secretary shall make special recreation permit applications available to be filled out and submitted online.

SEC. 10. COST RECOVERY REFORM.

(a) REGULATORY PROCESS.—Not later than 180 days after the date of enactment of this Act, the Secretary of Agriculture shall revise section 251.58 of title 36, Code of Federal Regulations, and the Secretary of the Interior shall revise section 2932.31(e) and (f) of title 43, Code of Federal Regulations, to reduce costs and minimize the burden of cost recovery on small businesses and adverse impacts of cost recovery on jobs in the outfitting and guiding industry and on rural economies provided, however, that nothing in the revised regulations shall further limit the Secretary's authority to issue or renew recreation special use permits.

(b) DE MINIMIS EXEMPTION.—

(1) COST RECOVERY LIMITATION.—Any regulations issued by the Secretary of the Interior or the Secretary of Agriculture to establish fees to recover processing costs for recreation special use applications and monitoring costs for recreation special use authorizations shall include an exemption providing that at least the first 50 hours of work necessary in any one year to process and/or monitor such an application shall not be subject to cost recovery. The application of a 50-hour credit per permit shall also apply to any monitoring fees on a per annum basis during the term of each permit.

(2) APPLICATION OF EXEMPTION.—An exemption under paragraph (1) shall apply to the processing of each recreation special use permit application and monitoring of each recreation special use authorization for which cost recovery is required, including any application or authorization requiring more than 50 hours (or such other greater number of hours specified for exemption) to process or monitor. In the event that the amount of work required to process such an application or monitor such an authorization exceeds the specified exemption, the amount of work for which cost recovery is required shall be reduced by the amount of the exemption.

(3) MULTIPLE APPLICATIONS.—In situations involving multiple recreation special use ap-

plications for similar services in the same unit or area that require more than 50 hours (or such other greater number of hours specified for exemption) in the aggregate to process, the Secretary shall, regardless of whether the applications are solicited or unsolicited and whether there is competitive interest—

(A) determine the share of the aggregate amount to be allocated to each application, on an equal or prorated basis, as appropriate; and

(B) for each application, apply a separate exemption of up to 50 hours (or such other greater number of hours specified for exemption) to the share allocated to such application.

(4) COST REDUCTION.—The agency processing a recreation special use application shall utilize existing studies and analysis to the greatest extent practicable in order to reduce the amount of work and cost necessary to process the application.

(5) LIMITATION.—The Secretary of the Interior and the Secretary of Agriculture may not recover as processing costs for recreation special use applications and monitoring costs for recreation special use authorizations any costs for consultations conducted under section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536) or for biological monitoring on Federal recreational lands and waters under such Act for listed, proposed, or candidate species.

(6) WAIVER OF COST RECOVERY.—The Secretary of the Interior and the Secretary of Agriculture may waive the recovery of costs for processing recreation special use permit applications and renewals, on a categorical or case-by-case basis as appropriate, if the Secretary determines that—

(A) such costs would impose a significant economic burden on any small business or category of small businesses;

(B) such cost recovery could threaten the ability of an applicant or permittee to provide, in a particular area, a particular outdoor recreational activity that is consistent with the public interest and with applicable resource management plans; or

(C) prevailing economic conditions are unfavorable, such as during economic recessions, or when drought, fire, or other natural disasters have depressed economic activity in the area of operation.

SEC. 11. EXTENSION OF FOREST SERVICE RECREATION PRIORITY USE PERMITS.

Where the holder of a special use permit for outfitting and guiding that authorizes priority use has submitted a request for renewal of such permit in accordance with applicable laws and regulations, the Secretary of Agriculture shall have the authority to grant the holder one or more extensions of the existing permit for additional items not to exceed 5 years in the aggregate, as necessary to allow the Secretary to complete the renewal process and to avoid the interruption of services under such permit. Before granting an extension under this section, the Secretary shall take all reasonable and appropriate steps to complete the renewal process before the expiration of the special use permit.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. LAMALFA) and the gentleman from Virginia (Mr. MCEACHIN) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. LAMALFA. 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 California?

There was no objection.

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

Mr. Speaker, I am indeed proud to present my bill today, H.R. 289, the Guides and Outfitters Act of 2017, also known as the GO Act. I would like to thank the Natural Resources Committee for its overwhelming support of this bill, which happened on June 27 of this year.

Mr. Speaker, I expect that nearly every Member of this body has fond memories of being on our public lands, whether it be fishing as a kid or with your kids, hunting with friends, hiking, on a horse, or camping with the family. Outdoor activities generate not just memorable moments and a love and respect for the great outdoors but also important, considerable economic activity, which is especially important for our rural areas of northern California, where my district is, and all across our Nation.

The Outdoor Recreation Association estimates that recreational activity in the United States contributes nearly \$900 billion to our GDP annually, supporting about 7.6 million jobs.

Unfortunately, public access to public lands is too often hindered by costly and complex permit requirements that vary from agency to agency, sometimes even crossing from agency to agency what the requirements are to seek a permit.

The GO Act enhances and protects access to our public lands by streamlining Federal agencies' special recreation permit process, moving the permit process online, and providing joint permits for activities across a combination of National Park Service, Bureau of Land Management, and Forest Service land.

In rural America, where rural economies often depend on annual outdoor events—some events, this might be their only event of the year, a big part of their local economy. We have that in northern California in some areas. The GO Act provides greater assurance that such activities on public lands will continue into the future.

This bill also authorizes agencies to use categorical exclusions to grant annual events a streamlined review, ensuring such events don't need expensive and duplicative studies year after year. Really, there is no need to reinvent the wheel each year for an existing permitted activity.

Getting more American families and groups and clubs outdoors can only be accomplished by building a permit process that doesn't deter outdoor enthusiasts from enjoying public lands but, indeed, makes them feel welcome and encouraged to enjoy these lands that belong to all of us.

The idea behind this bipartisan bill is simple: getting more Americans outside, on their lands, for less cost, less

money, less headache of permits, less red tape; that is really what this is about. There is no need for some of the process that people have to go through to get a permit when it is especially an already-known activity with very minimal or no impact.

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Mr. Speaker, let's make recreating in our public lands an open and simple experience. Once again, I urge swift passage of this bill, H.R. 289, the Guides and Outfitters Act, and I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATURAL RESOURCES,
Washington, DC, July 10, 2017.

Hon. K. MICHAEL CONAWAY,
Chairman, Committee on Agriculture,
Washington, DC.

DEAR MR. CHAIRMAN: On June 27, 2017, the Committee on Natural Resources ordered reported as amended H.R. 289, the Guides and Outfitters Act, by voice vote. The bill was referred primarily to the Committee on Natural Resources, with an additional referral to the Committee on Agriculture.

I ask that you allow the Committee on Agriculture to be discharged from further consideration of the bill so that it may be scheduled by the Majority Leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on Agriculture represented on the conference committee. Finally, I would be pleased to include this letter and any response in the bill report filed by the Committee on Natural Resources to memorialize our understanding.

Thank you for your consideration of my request and for the extraordinary cooperation shown by you and your staff over matters of shared jurisdiction. I look forward to further opportunities to work with you this Congress.

Sincerely,

ROB BISHOP.

Chairman, Committee on Natural Resources.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, DC, July 10, 2017.

Hon. ROB BISHOP,
Chairman, Committee on Natural Resources,
Washington, DC.

DEAR MR. CHAIRMAN: Thank you for the opportunity to review H.R. 289, the Guides and Outfitters Act. As you are aware, the bill was primarily referred to the Committee on Natural Resources, while the Agriculture Committee received an additional referral.

I recognize and appreciate your desire to bring this legislation before the House in an expeditious manner and, accordingly, I agree to discharge H.R. 289 from further consideration by the Committee on Agriculture. I do so with the understanding that by discharging the bill, the Committee on Agriculture does not waive any future jurisdictional claim on this or similar matters. Further, the Committee on Agriculture reserves the right to seek the appointment of conferees, if it should become necessary.

I ask that you insert a copy of our exchange of letters into the Congressional Record during consideration of this measure on the House floor.

Thank you for your courtesy in this matter and I look forward to continued cooperation between our respective committees.

Sincerely,

K. MICHAEL CONAWAY,
Chairman.

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

Mr. Speaker, this bill is an earnest effort to improve the availability of recreation permits on Federal lands. Public lands support the thriving outdoor recreation economy, and many small businesses partner with the Federal Government to provide a range of visitor services.

The stated purpose of the bill is to reduce permitting time and administrative hurdles faced by permit applications. We are open to the idea of approving the permit process to ensure timely and transparent access to public lands for recreation activities and other special events. However, we are concerned that some of the methods used by the bill could lead to more problems than they solve.

For example, section 2 creates a categorical exclusion for permits related to activities that have been previously considered through the National Environmental Policy Act process. Categorical exclusions are reserved for types of activities that are determined to have limited environmental impacts. They are most commonly developed through a rulemaking process which provides for public comment and provides the agency with the flexibility to determine when they are appropriate.

The Forest Service already stresses the use of existing categorical exclusions for special recreation permits and does what it can with available resources to speed up permit processing times. It is unclear why this section is necessary or appropriate.

If current categorical exclusions are insufficient, Congress should encourage a rulemaking process to address the inadequacies. While we have some concerns, this bill is a good first step, and we would hope our concerns can be addressed in the Senate.

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

Mr. LAMALFA. Mr. Speaker, I appreciate the input from my colleague from Virginia, and we certainly want to have this be a process that works well. By delineating some of the categorical exclusions, we just seek to make it more usable, more user-friendly in that sense. So I thank you for the support on that.

Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. MCCLINTOCK), my neighbor.

Mr. MCCLINTOCK. Mr. Speaker, I rise today in strong support of H.R. 289, the Guides and Outfitters—or GO—Act, offered by my Natural Resources Committee colleague and my California neighbor, Congressman DOUG LAMALFA.

For many years, we have seen increasingly severe restrictions on the public's use of the public's land. One of the most galling aspects of this exclusionary policy is the use of exorbitant fees to prevent many group events and small business services that have often been the economic mainstay of small

mountain communities like those in my district in the Sierra Nevada.

This abusive practice was made possible by the Federal Lands Recreation Enhancement—or FLREA—Act in 2004. It unleashed a flood of complex rules, regulations, and court decisions that have gradually increased the cost of permit administration for the Forest Service and for the Bureau of Land Management, which these agencies, in turn, have used as an excuse to raise fees on the public to cost-prohibitive levels.

For example, the California Endurance Riders Association have been using the El Dorado National Forest for many years. In 2009, when they sought a simple 5-year, 10-event permit to continue doing exactly what they had been doing without incident for decades, the Forest Service demanded \$11,000 in fees.

Well, they paid those fees. But the El Dorado National Forest management, nonetheless, pulled the approved permit and halted the process on utterly specious grounds. It then demanded an additional \$17,000 fee, causing the Endurance Riders Association to cancel what had been a long-term civic tradition that had been a boon to the local economy.

In 2010, this outrage was repeated after the group spent \$5,800 for the Fool's Gold endurance run that had been an ongoing event for more than 40 years.

Hardest hit are guides and outfitters, the folks who make it possible for visitors to fully enjoy our national lands. They are the small businesses that provide specialized knowledge, skills, and equipment that new visitors just don't possess. Both the Forest Service and the Bureau of Land Management have used FLREA to require these small businesses to pay for permit processing and environmental analyses that require more than 50 hours.

These fees, along with complex planning requirements, have virtually shut down so many legitimate and traditional public events and uses. Efforts to encourage the agencies to modify and streamline the process have failed, even when those efforts were supported by agency policy.

The GO Act is a long-overdue relief of these practices. It amends FLREA to streamline the recreation permitting process and allow for increased public access to recreational opportunities on the Federal lands. The GO Act was crafted in consultation with a wide variety of recreation groups throughout the country, and it aims to reduce the cost and complexity of these permits.

Mr. Speaker, I commend and personally thank Congressman LAMALFA for listening to his constituents, the people of the Sierra Nevada, and to the thousands of recreation service providers across the country who have been begging Congress to make these changes.

Mr. Speaker, I urge adoption of the measure.

Mr. McEACHIN. Mr. Speaker, I have no further speakers to speak to this issue, so I yield back the balance of my time.

Mr. LAMALFA. Mr. Speaker, I appreciate the input by my colleague, Mr. McCLINTOCK, as well, who has lived this in some of those same Sierra counties we are talking about, and other areas in the West. So we, again, are very encouraged by the bipartisan support, the strong support coming out of committee, and that H.R. 289, the Guides and Outfitters Act, is something that will open the gateway to more enjoyment of our public lands without the constraints, such as exorbitant, extraneous fees and permits that really don't yield any additional care for the environment or care for the area with people that are already good stewards.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. LAMALFA) that the House suspend the rules and pass the bill, H.R. 289, 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.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 51 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. POE of Texas) at 6 o'clock and 30 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 36, PAIN-CAPABLE UNBORN CHILD PROTECTION ACT

Ms. CHENEY, from the Committee on Rules, submitted a privileged report (Rept. No. 115-338) on the resolution (H. Res. 548) providing for consideration of the bill (H.R. 36) to amend title 18, United States Code, to protect pain-capable unborn children, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 1547, by the yeas and nays;

H.R. 965, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. The remaining electronic vote will be conducted as a 5-minute vote.

UDALL PARK LAND EXCHANGE COMPLETION ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1547) to provide for the unencumbering of title to non-Federal land owned by the city of Tucson, Arizona, for purposes of economic development by conveyance of the Federal reversionary interest to the City, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. THOMPSON) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 401, nays 0, not voting 32, as follows:

[Roll No. 544]

YEAS—401

Abraham
Adams
Aderholt
Aguilar
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barragán
Barton
Bass
Beatty
Bera
Bergman
Beyer
Biggs
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Brown (MD)
Brownley (CA)
Buck
Bucshon
Budd
Burgess
Bustos
Byrne
Calvert
Capuano
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot

Cheney
Chu, Judy
Cicilline
Clark (MA)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (NY)
Comer
Comstock
Conaway
Conyers
Cook
Cooper
Correa
Costa
Costello (PA)
Courtney
Cramer
Crawford
Cuellar
Culberson
Cummings
Curbelo (FL)
Davidson
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DeBene
Demings
Denham
Dent
DeSantis
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael F.
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Ellison
Emmer
Engel
Eshoo
Españillat
Estes (KS)
Esty (CT)

Evans
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Foxo
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gaetz
Gallagher
Gallego
Garamendi
Garrett
Gianforte
Gibbs
Gohmert
Gomez
Gonzalez (TX)
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guthrie
Hanabusa
Handel
Harper
Harris
Hartzler
Hastings
Heck
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Higgins (NY)
Hill
Himes
Holding
Hollingsworth
Hoyer
Hudson
Huffman

Huizenga
Hultgren
Hunter
Hurd
Issa
Jackson Lee
Jayapal
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger
Knight
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lewis (MN)
Lieu, Ted
Lipinski
LoBiondo
Loeback
Lofgren
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham, M.
Luján, Ben Ray
Lynch
MacArthur
Maloney,
Carolyn B.
Maloney, Sean
Marchant
Marino
Marshall
Massie
Mast
Matsui
McCarthy
McCaul
McClintock
McCollum
McEachin
McGovern
McHenry

McKinley
McMorris
Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Messer
Mitchell
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Noem
Nolan
Norcross
Norman
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Pallone
Palmer
Panetta
Pascarell
Paulsen
Payne
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pocan
Poe (TX)
Poliquin
Polis
Posey
Price (NC)
Quigley
Raskin
Ratcliffe
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Rush
Russell
Rutherford
Sánchez

Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schradner
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Sinema
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Speier
Olson
Stefanik
Stewart
Stivers
Suozy
Swalwell (CA)
Takano
Taylor
Tennet
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Peterson
Pingree
Pittenger
Pocan
Poe (TX)
Poliquin
Polis
Posey
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Rouzer
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Rush
Russell
Rutherford
Sánchez

NOT VOTING—32

Bridenstine
Buchanan
Butterfield
Clarke (NY)
Collins (GA)
Connolly
Crist
Crowley
DeFazio
DesJarlais
Gutiérrez

Jenkins (KS)
Johnson, E. B.
Kaptur
Katko
Kihuen
Langevin
Long
Meng
Pearce
Richmond
Rohrabacher

Rosen
Ryan (OH)
Simpson
Sires
Soto
Titus
Tsongas
Vargas
Wilson (FL)
Yarmuth

□ 1851

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.