
PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 3590) TO
PROTECT AND ENHANCE OPPORTUNITIES FOR
RECREATIONAL HUNTING, FISHING, AND SHOOTING, AND
FOR OTHER PURPOSES

February 3, 2014.—Referred to the House Calendar and ordered to be
printed.

MR. SESSIONS, from the Committee on Rules, submitted the following

R E P O R T

[To accompany H. Res. __]

The Committee on Rules, having had under consideration House
Resolution ____, by a record vote of 9 to 2, report the same to the House with
the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 3590, the Sportsmen's Heritage And Recreational Enhancement Act of 2013 (SHARE Act of 2013), under a structured rule. The resolution provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. The resolution waives all points of order against consideration of the bill and provides that it shall be considered as read. The resolution waives all points of order against provisions in the bill. The resolution makes in order only those amendments printed in this report. Each such amendment may be offered only in the order printed in this report, may be offered only by a Member designated in this report, shall be considered as read, shall be debatable for the time specified in this report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The resolution waives all points of order against the amendments printed in this report. The resolution provides one motion to recommit with or without instructions.

EXPLANATION OF WAIVERS

Although the resolution waives all points of order against consideration of the bill, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against provisions in the bill, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

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

COMMITTEE VOTES

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

Rules Committee Record Vote No. 105

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #21, offered by Rep. Holt (NJ) and Rep. Thompson (CA) and Rep. Reichert (WA) and Rep. Veasey (TX) and Rep. Fitzpatrick (PA) and Rep. Dingell (MI) and Rep. McGovern (MA) and Rep. Gibson (NY) and Rep. Kirkpatrick (AZ) and Rep. Coble (NC) and Rep. Butterfield (NC) and Rep. Gerlach (PA), which reauthorizes the Land and Water Conservation Fund (LWCF) for five years. The LWCF uses revenues from oil and gas leasing on the Outer Continental Shelf to help preserve, develop and ensure access to outdoor recreation resources.
 Defeated: 2-9

Majority Members	Vote	Minority Members	Vote
Ms. Foxx.....	Nay	Ms. Slaughter.....	
Mr. Bishop of Utah.....	Nay	Mr. McGovern.....	Yea
Mr. Cole.....	Nay	Mr. Hastings of Florida.....	Yea
Mr. Woodall.....	Nay	Mr. Polis.....	
Mr. Nugent.....	Nay		
Mr. Webster.....	Nay		
Ms. Ros-Lehtinen.....	Nay		
Mr. Burgess.....	Nay		
Mr. Sessions, Chairman.....	Nay		

Rules Committee Record Vote No. 106

Motion by Ms. Foxx to report the rule. Adopted: 9-2

Majority Members	Vote	Minority Members	Vote
Ms. Foxx.....	Yea	Ms. Slaughter.....	
Mr. Bishop of Utah.....	Yea	Mr. McGovern.....	Nay
Mr. Cole.....	Yea	Mr. Hastings of Florida.....	Nay
Mr. Woodall.....	Yea	Mr. Polis.....	
Mr. Nugent.....	Yea		
Mr. Webster.....	Yea		
Ms. Ros-Lehtinen.....	Yea		
Mr. Burgess.....	Yea		
Mr. Sessions, Chairman.....	Yea		

SUMMARY OF THE AMENDMENTS MADE IN ORDER

1. Hastings, Doc (WA): MANAGER'S Makes technical, clarifying and conforming changes to the Committee Print. (10 minutes)
2. Hanna (NY): Requires a report on economic impacts of the Act. The report would include any expected increases in recreational hunting, fishing, shooting, and conservation activities; an estimate of jobs created to support such activities; an estimate of wages related to these jobs; and estimate of anticipated new local, State, and Federal revenue. (10 minutes)
3. Castro (TX): Ensures that women and minority groups, as appropriate, are included for membership on the Wildlife and Hunting Heritage Conservation Council Advisory Committee. (10 minutes)
4. Gallego (TX): Adds veterans service organizations to the list of discretionary members of the Wildlife and Hunting Heritage Conservation Council Advisory Committee. Many organizations, including the VA, include outdoor activities to help wounded veterans in their rehabilitation efforts. (10 minutes)
5. Broun (GA): Requires that hunting, trapping, netting and fishing activities be included as land use in all land management plans to the extent that these activities are not clearly inconsistent with the purposes for which the Federal land is managed. (10 minutes)
6. Ellison (MN): Strikes the National Environmental Policy Act waivers in the bill. (10 minutes)
7. Smith, Jason (MO): Preserves current motorized vessel management in the Ozark National Scenic Riverways, a National Park in Southeast Missouri. (10 minutes)
8. Crawford (AR): Allows the State office of the Cooperative Extension System of the Department of Agriculture and State department of fish and wildlife to determine regular agricultural practices for purposes of federal hunting guidelines. (10 minutes)
9. Fleming (LA): Restores hunting access to the Kisatchie National Forest for deer hunting with dogs. Includes private property protections. (10 minutes)
10. Holt (NJ), Connolly (VA), Lowenthal (CA), Van Hollen (MD), Langevin (RI), Cartwright (PA), Ellison (MN), Blumenauer (OR), Grijalva (AZ), Shea-Porter (NH), Capps (CA), Quigley (IL), Delaney (MD), Davis, Susan (CA), Matsui (CA): Promotes the Secretary of the Interior's authority to consider climate change when making decisions related to recreation and conservation on public lands. (10 minutes)
11. Kildee (MI): Maintains access to National Forest System lands for snowmobilers while a winter Travel Management Rule for National Forests is finalized. (10 minutes)

TEXT OF AMENDMENTS MADE IN ORDER

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

AMENDMENT TO H.R. 3590
OFFERED BY MR. HASTINGS OF WASHINGTON

Page 1, lines 5 and 6, strike “of 2013”.

Page 13, line 10, strike “of 2013”.

Page 15, line 2, strike “of 2013”.

Page 15, line 7, strike “of 2013”.

Page 22, line 12, strike “of 2013”.

Page 27, strike lines 13 and 14 and redesignate the remaining clauses accordingly.

Page 29, line 20, strike “shall” and insert “may”.

Page 32, line 13, strike “Effective” and all that follows through line 19, and insert the following: “Upon publication of the first notice required under section 8(c) of the Wildlife and Hunting Heritage Conservation Council formed in furtherance of section 441 of the Revised Statutes (43 U.S.C. 1457), the Fish and Wildlife Act of 1956 (16 U.S.C. 742a), and other Acts applicable to specific bureaus of the Department of the Interior is hereby abolished.”.

Page 41, lines 17 and 18, strike “this determination” and insert “the provision of opportunities for hunting, fishing, and recreational shooting under the authority of this title”.

Page 41, line 20, insert “, road construction or maintenance,” after “access”.

Page 41, lines 22 and 23, strike “, or permanent road construction or maintenance”.

Page 42, line 14, strike “such implementation” and insert “the provision of opportunities for hunting, fishing, and recreational shooting under the authority of this title”.

Page 42, line 16, strike “or permanent road construction or use” and insert “motorized recreational access, road construction or maintenance, or use that is not otherwise allowed under the Wilderness Act (16 U.S.C. 1131 et seq.)”.

Page 45, line 18, strike “head”.

At the end of the bill, add the following new title (and amend the table of contents accordingly):

1 **TITLE IX—RESPECT FOR**
2 **TREATIES AND RIGHTS**

3 **SEC. 901. RESPECT FOR TREATIES AND RIGHTS.**

4 Nothing in this Act or the amendments made by this
5 Act shall be construed to affect or modify any treaty or
6 other right of any federally recognized Indian tribe.



2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HANNA OF NEW YORK OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

AMENDMENT TO H.R. 3590

~~OFFERED BY MR. HANNA OF NEW YORK~~

Page 3, before line 1, insert the following (and conform the table of contents accordingly):

1 **SEC. 3. REPORT ON ECONOMIC IMPACT.**

2 Not later than 12 months after the date of the enact-
3 ment of this Act, the Secretary of Interior shall submit
4 a report to Congress that assesses expected economic im-
5 pacts of the Act. Such report shall include—

6 (1) a review of any expected increases in rec-
7 reational hunting, fishing, shooting, and conserva-
8 tion activities;

9 (2) an estimate of any jobs created in each in-
10 dustry expected to support such activities described
11 in paragraph (1), including in the supply, manufac-
12 turing, distribution, and retail sectors;

13 (3) an estimate of wages related to jobs de-
14 scribed in paragraph (2); and

15 (4) an estimate of anticipated new local, State,
16 and Federal revenue related to jobs described in
17 paragraph (2).



3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CASTRO OF TEXAS OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

7

AMENDMENT TO H.R. 3590
OFFERED BY MR. CASTRO OF TEXAS

Page 27, after line 18, insert the following:

- 1 “(xiii) Women’s hunting and fishing
- 2 advocacy, outreach, or education organiza-
- 3 tion.
- 4 “(xiv) Minority hunting and fishing
- 5 advocacy, outreach, or education organiza-
- 6 tion.



4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GALLEGOS OF TEXAS OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

18

AMENDMENT TO H.R. 3590
OFFERED BY MR. GALLEGO OF TEXAS

Page 27, after line 18, insert the following:

1

“(xiii) Veterans service organization.”.



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

#8 r2

AMENDMENT TO H.R. 3590
OFFERED BY MR. BROUN OF GEORGIA

Page 37, strike line 1 through page 45, line 24, and insert the following (conform the table of contents accordingly):

1 **SEC. 804. HUNTING ON FEDERAL PUBLIC LAND.**

2 (a) **PURPOSE.**—The purpose of this section is to re-
3 quire that hunting activities be a land use in all manage-
4 ment plans for Federal public land to the extent that such
5 use is not clearly incompatible with the purposes for which
6 the Federal public land is managed.

7 (b) **HUNTING ALLOWED UNLESS INCOMPATIBLE.**—
8 When developing or considering approval of a manage-
9 ment plan (or any amendment to such a management
10 plan) for Federal public land, the head of the agency with
11 jurisdiction over such Federal public land shall ensure that
12 hunting activities are allowed as a use of such Federal
13 public land to the extent that such use is not clearly in-
14 compatible with the purposes for which the Federal public
15 land is managed.

16 (c) **PROHIBITING OR RESTRICTING HUNTING.**—

17 (1) **REASONS SET FORTH IN MANAGEMENT**
18 **PLAN.**—If hunting activities are not allowed or are

1 restricted on Federal public land, the head of the
2 agency with jurisdiction over such Federal public
3 land shall set forth in the management plan for that
4 Federal public land the specific reason that hunting
5 activities are not allowed or are restricted.

6 (2) RESTRICTION CLARIFIED.—For the pur-
7 poses of this subsection—

8 (A) allowing contract or quota thinning of
9 wildlife shall not constitute allowing unre-
10 stricted hunting; and

11 (B) a fee charged by any entity related to
12 hunting activities on Federal public land that is
13 in excess of that needed to recoup costs of man-
14 agement of the Federal public land shall be
15 deemed to be a restriction on hunting.

16 (d) SHOOTING RANGES.—

17 (1) IN GENERAL.—The head of each Federal
18 agency shall use his or her authorities in a manner
19 consistent with this title and other applicable law,
20 to—

21 (A) lease or permit use of lands under the
22 jurisdiction of the agency for shooting ranges;
23 and

1 (B) designate specific lands under the ju-
2 risdiction of the agency for recreational shoot-
3 ing activities.

4 (2) LIMITATION ON LIABILITY.—Any designa-
5 tion under paragraph (1)(B) shall not subject the
6 United States to any civil action or claim for mone-
7 tary damages for injury or loss of property or per-
8 sonal injury or death caused by any activity occur-
9 ring at or on such designated lands.

10 (e) AUTHORITY OF THE STATES.—Nothing in this
11 title shall be construed as interfering with, diminishing,
12 or conflicting with the authority, jurisdiction, or responsi-
13 bility of any State to exercise primary management, con-
14 trol, or regulation of fish and wildlife under State law (in-
15 cluding regulations) on land or water within the State, in-
16 cluding on Federal public land.

17 (f) FEES.—Fees charged related to hunting activities
18 on Federal public land shall be—

19 (1) retained by the head of the agency with ju-
20 risdiction over such Federal public land to offset
21 costs directly related to management of hunting on
22 the Federal public land upon which hunting activi-
23 ties related to the fee are conducted; and

24 (2) limited to what the Secretary reasonably es-
25 timates to be necessary to offset costs directly re-

1 lated to management of hunting on the Federal pub-
2 lic land upon which hunting activities related to the
3 fee are conducted.

4 (g) DEFINITIONS.—In this section—

5 (1) the term “Federal public land” means any
6 land or water that is owned and managed by the
7 Bureau of Land Management or the Forest Service;

8 (2) the term “hunting” means hunting, trap-
9 ping, netting, and fishing; and

10 (3) the term “management plan” means a man-
11 agement plan, management contract, or other com-
12 prehensive plan or agreement for the management or
13 use of Federal public land.

14 (h) APPLICABILITY.—This section shall apply to all
15 management plans developed, approved, or amended after
16 the date of the enactment of this section.

6. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ELLISON OF MINNESOTA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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AMENDMENT TO H.R. 3590
OFFERED BY MR. ELLISON OF MINNESOTA

Page 38, strike line 20 through page 39, line 6.

Page 39, line 7, strike “(3)” and insert “(2)”.



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

6

AMENDMENT TO H.R. 3590
OFFERED BY MR. SMITH OF MISSOURI

Page 44, line 22, strike “Nothing” and insert “Except as provided by subsection (l), nothing”.

Page 45, after line 24, insert the following:

- 1 (1) MOTORIZED VESSELS IN THE OZARK NATIONAL
2 SCENIC RIVERWAYS.—The Secretary of the Interior—
3 (1) shall manage the Ozark National Scenic
4 Riverways to allow the use of motorized vessels in a
5 manner that is not more restrictive than the use re-
6 strictions in effect on November 21, 2013; and
7 (2) may manage the Ozark National Scenic
8 Riverways to allow the use of motorized vessels in a
9 manner that is less restrictive than the use restric-
10 tions in effect on November 21, 2013.



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

2/4

AMENDMENT TO H.R. 3590
OFFERED BY MR. CRAWFORD OF ARKANSAS

Add at the end the following:

1 **TITLE _____ —EXEMPTIONS FOR**
2 **TAKING MIGRATORY BIRDS**
3 **ON CERTAIN AGRICULTURAL**
4 **LAND**

5 **SEC. _01. SHORT TITLE.**

6 This title may be cited as the “Hunter and Farmer
7 Protection Act”.

8 **SEC. _02. EXEMPTIONS ON CERTAIN LAND.**

9 Section 3 of the Migratory Bird Treaty Act (16
10 U.S.C. 704) is amended by adding at the end the fol-
11 lowing:

12 “(c) EXEMPTIONS ON CERTAIN LAND.—

13 “(1) IN GENERAL.—Nothing in this section pro-
14 hibits the taking of any migratory game bird, includ-
15 ing waterfowl, coots, and cranes, on or over land
16 that—

17 “(A) contains—

18 “(i) a standing crop or flooded stand-
19 ing crop, including an aquatic crop;

1 “(ii) standing, flooded, or manipulated
2 natural vegetation;

3 “(iii) flooded harvested cropland; or

4 “(iv) an area in a State on which seed
5 or grain has been scattered solely as the
6 result of an agricultural planting, har-
7 vesting, or post-harvest manipulation prac-
8 tice, or a soil stabilization practice, that
9 the head of the State office of the Coopera-
10 tive Extension System of the Department
11 of Agriculture has determined in accord-
12 ance with paragraph (2) to be a normal
13 practice in that State; and

14 “(B) is not otherwise a baited area.

15 “(2) STATE DETERMINATIONS.—

16 “(A) IN GENERAL.—The head of a State
17 office of the Cooperative Extension System may
18 make a determination for purposes of para-
19 graph (1)(A)(iv) upon the request of the Sec-
20 retary of the Interior.

21 “(B) REVISIONS.—The head of a State of-
22 fice of the Cooperative Extension System may
23 revise a determination under subparagraph (A)
24 as the head of a State office determines to be

1 necessary to reflect changing agricultural prac-
2 tices.

3 “(C) CONCURRENCE REQUIRED.—A deter-
4 mination or revision under this paragraph shall
5 not be effective for purposes of this subsection
6 unless the head of the State department of fish
7 and wildlife concurs therein.”.



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

12

AMENDMENT TO H.R. 3590
OFFERED BY MR. FLEMING OF LOUISIANA

Add at the end of the bill, add the following (and conform the table of contents accordingly):

1 **SEC. 805. RESTRICTIONS ON HUNTING IN KISATCHIE NA-**
2 **TIONAL FOREST.**

3 (a) HUNTING IN KISATCHIE NATIONAL FOREST.—
4 Consistent with the Act of June 4, 1897 (16 U.S.C. 551),
5 the Secretary of Agriculture may not restrict the use of
6 dogs in deer hunting activities in Kisatchie National For-
7 est, unless such restrictions—

8 (1) apply to the smallest practicable portions of
9 such unit; and

10 (2) are necessary to reduce or control trespass
11 onto land adjacent to such unit.

12 (b) PRIOR RESTRICTIONS VOID.—Any restrictions re-
13 garding the use of dogs in deer hunting activities in
14 Kisatchie National Forest in force on the date of the en-
15 actment of this Act shall be void and have no force or
16 effect.

17 (c) ADJACENT LANDOWNERS.—Landowners whose
18 property abuts a unit of the Kisatchie National Forest
19 may petition the Secretary of Agriculture to restrict the

1 use of dogs in deer hunting activities that take place on
2 such unit which abut their property. If the Secretary of
3 Agriculture receives a petition from an adjacent land-
4 owner, the Secretary, after notice and opportunity for a
5 hearing, may impose restrictions on the use of dogs in deer
6 hunting—

- 7 (1) limited to those units of the Kisatchie Na-
8 tional Forest within 300 yards of the boundary of
9 the petitioning landowner's property; and
10 (2) consistent with subsection (a).



10. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HOLT OF NEW JERSEY OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

AMENDMENT TO H.R. 3590
OFFERED BY MR. HOLT OF NEW JERSEY

At the end of the bill, add the following:

- 1 **TITLE IX—CLIMATE CHANGE**
- 2 **SEC. 901. AUTHORITY OF THE SECRETARY OF THE INTE-**
- 3 **RIOR TO PLAN FOR A CHANGING CLIMATE.**
- 4 Nothing in this Act limits the authority of the Sec-
- 5 retary of the Interior to include climate change as a con-
- 6 sideration in making decisions related to conservation and
- 7 recreation on public lands.



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

AMENDMENT TO H.R. 3590
OFFERED BY MR. KILDEE OF MICHIGAN

At the end of the bill, add the following:

1 **TITLE IX—SENSE OF CONGRESS**
2 **REGARDING SNOWMOBILES**
3 **ON NATIONAL FOREST SYS-**
4 **TEM LANDS**

5 **SEC. 901. FINDINGS AND PURPOSE.**

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

7 (1) The clear identification of roads, trails, and
8 areas for motor vehicle use in each National Forest
9 will improve management of National Forest System
10 lands and protect these national treasures, enhance
11 opportunities, and address access for motorized
12 recreation experiences on National Forest System
13 lands and preserve areas of opportunity in each Na-
14 tional Forest for non-motorized travel and experi-
15 ences.

16 (2) The sport of snowmobiling supports thou-
17 sands of jobs across the country and provides a vari-
18 ety of enriching recreational opportunities for both
19 families and individuals.

1 (3) In 2005, the Forest Service promulgated a
2 Travel Management Rule that required travel man-
3 agement plans for off-road vehicles, with the excep-
4 tion of snowmobiles, on all lands managed by the
5 Forest Service.

6 (4) Under the 2005 Travel Management Rule,
7 the Department of Agriculture deemed that the use
8 of snowmobiles on National Forest System lands
9 presented a different set of management issues and
10 environmental impacts on National Forest System
11 lands than the use of other types of motor vehicles.
12 Therefore, the final rule exempted snowmobiles from
13 the mandatory designation scheme provided for
14 under section 212.51 of title 36, Code of Federal
15 Regulations, but retained the National Forest Sys-
16 tem's ability to allow, restrict or prohibit snowmobile
17 travel, as appropriate, on a case-by-case basis.

18 (5) In 2013, the Ninth U.S. District Court of
19 Idaho ruled in the case captioned as *Winter*
20 *Wildlands Alliance v. US Forest Service*, Case No.
21 1:11-cv-00586--REB, ruled that the Forest Service
22 must promulgate travel management rules that in-
23 clude snowmobiles. The Ninth U.S. District Court of
24 Idaho required that the final rule be promulgated by

1 September 14, 2014, barring no additional exten-
2 sion.

3 (b) SENSE OF CONGRESS.—It is the sense of Con-
4 gress that the Forest Service should continue to allow
5 snowmobiles access to National Forest System lands at
6 the same levels as were allowed as of March 28, 2013,
7 subject to closures for public health and safety at the dis-
8 cretion of the respective agencies, until a final travel man-
9 agement rule is promulgated for snowmobiles.

