
PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 2406) TO
PROTECT AND ENHANCE OPPORTUNITIES FOR
RECREATIONAL HUNTING, FISHING, AND SHOOTING, AND
FOR OTHER PURPOSES

February 23, 2016.—Referred to the House Calendar and ordered to be printed.

Mr. NEWHOUSE (WA), 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 8 to 3, 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. 2406, the SHARE Act, 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. The resolution makes in order as original text for the purpose of amendment the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill and provides that it shall be considered as read. The resolution waives all points of order against that amendment in the nature of a substitute. The resolution makes in order only those further 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

The waiver of all points of order against consideration of the bill includes a waiver of the following:

- Section 302(f) of the Congressional Budget Act, which prohibits consideration of legislation providing new budget authority in excess of a committee's 302(a) allocation of such authority;
- Section 311 of the Congressional Budget Act of 1974, prohibiting consideration of legislation that would cause the level of total new budget authority for the first fiscal year to be exceeded;
- Clause 10 of rule XXI, which prohibits consideration of a bill if it has the net effect of increasing mandatory spending over the five- or ten-year period; and
- Clause 3(e)(1) of rule XIII ("Ramseyer"), requiring a committee report accompanying a bill amending or repealing statutes to show, by typographical device, parts of statute affected. The waiver is provided because the submission provided by the Committee on Natural Resources was insufficient to meet the standards established by the rule in its current form. The Committee on Rules continues to work with the House Office of Legislative Counsel and committees to determine the steps necessary to comply with the updated rule.

It is important to note that upon the adoption of the Manager's amendment, the violations of sections 302 (f) and 311 of the Congressional Budget Act as well as clause 10 of rule XXI will be cured.

The waiver of all points of order against the amendment in the nature of a substitute made in order as original text includes a waiver of the following:

- Clause 4 of rule XXI, which prohibits reporting a bill or joint resolution carrying an appropriation from a committee not having jurisdiction to report an appropriation; and
- Clause 5(a) of rule XXI, which prohibits a bill or joint resolution carrying a tax or tariff measure from being reported by a committee not having jurisdiction to report tax or tariff measures.

It is important to note that upon the adoption of the Manager's amendment, the violation of clause 4 of rule XXI will be cured.

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 of all points of order 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. 148

Motion by Mr. McGovern to report an open rule. Defeated: 3-7

Majority Members	Vote	Minority Members	Vote
Ms. Foxx.....	Nay	Ms. Slaughter.....	Yea
Mr. Cole.....	Nay	Mr. McGovern.....	Yea
Mr. Woodall.....	Nay	Mr. Hastings of Florida.....	
Mr. Burgess.....	Nay	Mr. Polis.....	Yea
Mr. Stivers.....			
Mr. Collins.....	Nay		
Mr. Byrne.....			
Mr. Newhouse.....	Nay		
Mr. Sessions, Chairman.....	Nay		

Rules Committee Record Vote No. 149

Motion by Mr. Polis to make in order and provide the appropriate waivers for amendment #19 offered by Rep. Sanford (SC), Rep. Grijalva (AZ) and Rep. Polis (CO), which permanently reauthorizes the Land and Water Conservation Fund; and amendment #22 offered by Rep. Grijalva (AZ) and Rep. Polis (CO), which strikes language blocking implementation of the Administration's rule to combat the illegal trade in ivory and protect African elephants under the Endangered Species Act. Defeated: 3-8

Majority Members	Vote	Minority Members	Vote
Ms. Foxx.....	Nay	Ms. Slaughter.....	Yea
Mr. Cole.....	Nay	Mr. McGovern.....	Yea
Mr. Woodall.....	Nay	Mr. Hastings of Florida.....	
Mr. Burgess.....	Nay	Mr. Polis.....	Yea
Mr. Stivers.....	Nay		
Mr. Collins.....	Nay		
Mr. Byrne.....			
Mr. Newhouse.....	Nay		
Mr. Sessions, Chairman.....	Nay		

Rules Committee Record Vote No. 150

Motion by Ms. Foxx to report the rule. Adopted: 8-3

Majority Members	Vote	Minority Members	Vote
Ms. Foxx.....	Yea	Ms. Slaughter.....	Nay
Mr. Cole.....	Yea	Mr. McGovern.....	Nay
Mr. Woodall.....	Yea	Mr. Hastings of Florida.....	
Mr. Burgess.....	Yea	Mr. Polis.....	Nay
Mr. Stivers.....	Yea		
Mr. Collins.....	Yea		
Mr. Byrne.....			
Mr. Newhouse.....	Yea		
Mr. Sessions, Chairman.....	Yea		

SUMMARY OF THE AMENDMENTS MADE IN ORDER

1. Wittman (VA): MANAGER'S Deletes Title XII which has been enacted into law already, removes outdated year references in short titles, makes expenditures under the Federal Land Transaction Facilitation Act subject to appropriation, and adds the text of HR 3279, as passed by the House, as a new title XVII. (10 minutes)
2. Beyer (VA): Prohibits an individual who is prohibited from possessing a firearm by the Gun Control Act from using a public target range. (10 minutes)
3. Jackson Lee (TX): Strikes Title III, exemption to import polar bear trophies taken in sport. (10 minutes)
4. Bustos (IL): Adds the Administrator of U.S. Small Business Administration or a designated representative to the Wildlife and Hunting Heritage Conservation Council Advisory Committee's membership. (10 minutes)
5. Smith, Jason (MO): Adds a specification that closures of hunter access corridors shall be clearly marked with signs and dates of closures, but shall not include barriers on the corridor. (10 minutes)
6. Meng (NY): Permits more than one U.S. Fish and Wildlife Service Law Enforcement Officer to be placed in a U.S. diplomatic or consular post in an African country with a significant population of African elephants in order to assist local wildlife rangers in the protection of such elephants. (10 minutes)
7. Huffman (CA): Requires GAO to conduct a study examining the effect of a ban of the trade of fossilized ivory from mammoths and mastodons on the illegal importation and trade of African and Asian elephant ivory within the United States. (10 minutes)
8. Beyer (VA): Strikes language that requires state approval of federal fishing regulations in waters under the jurisdiction of the National Park Service and the Office of National Marine Sanctuaries. (10 minutes)
9. Smith, Jason (MO): Prohibits USDA and NFS from issuing restrictions and regulations on hunting and recreational fishing in the Mark Twain National Forest. (10 minutes)
10. Newhouse (WA): Requires the Chief of the U.S. Forest Service to publish a notice in the Federal Register, with a justification, for the closure of any public road on Forest System lands. (10 minutes)
11. Fleming (LA): Requires the Forest Administrator to amend the travel plan for the Kisatchie National Forest in Louisiana to allow Utility Terrain Vehicle (UTV) access on roads nominated by the Secretary of Louisiana Wildlife and Fisheries, except when such designation would pose an unacceptable safety risk. If a road is denied, the Forest Administrator must publish a notice in the Federal Register with a justification for the closure. (10 minutes)
12. Griffith (VA): Allows a person who is not prohibited from possessing, transporting, shipping, or receiving a firearm or ammunition to transport a firearm or ammunition for any lawful purpose from any place where the person may lawfully possess, carry, or transport the

firearm or ammunition to any other such place if, during the transportation, the firearm is unloaded. (10 minutes)

13. Heck (NV), Hardy (NV), Amodei (NV): Adds the text of H.R. 373, the Good Samaritan Search and Recovery Act, to the end of the bill. Expedites access to federal lands for volunteer search and rescue groups to assist in recovering the remains of a deceased individual believed to be located on federal lands. (10 minutes)
14. Ribble (WI), Lummis (WY), Benishek (MI), Peterson (MN): Reissues the 2011 U.S. Fish and Wildlife Service decision to delist the gray wolf in the Western Great Lakes and Wyoming from the Endangered Species Act. (10 minutes)
15. Young, Don (AK): Prohibits the Fish and Wildlife Service from issuing a final rule that preempts state management authority which is protected by law in Alaska. Withdraws a final rule issued by the National Park Service of the same issue. (10 minutes)
16. Huffman (CA): Designates the Coastal Plain of the Arctic National Wildlife Refuge as wilderness and a part of the National Wilderness Preservation System. (10 minutes)
17. Lowenthal (CA): Authorizes the Department of Interior, after public comment and if approved unanimously by the Migratory Bird Conservation Commission, to raise the price of the Migratory Bird Hunting and Conservation Stamp ("Duck Stamp") by the rate of inflation, in order to preserve waterfowl habitat. (10 minutes)

TEXT OF AMENDMENTS MADE IN ORDER

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

BR

**AMENDMENT TO H.R. 2406, AS REPORTED
OFFERED BY MR. WITTMAN OF VIRGINIA**

Page 53, line 18, insert “, subject to appropriation,”
after “expended”.

Page 63, strike lines 1 through 8.

Strike “of 2015” each place it appears.

At the end of the bill, add the following:

1 **TITLE XVII—OPEN BOOK ON**
2 **EQUAL ACCESS TO JUSTICE**

3 **SEC. 1701. SHORT TITLE.**

4 This title may be cited as the “Open Book on Equal
5 Access to Justice Act”.

6 **SEC. 1702. MODIFICATION OF EQUAL ACCESS TO JUSTICE**
7 **PROVISIONS.**

8 (a) AGENCY PROCEEDINGS.—Section 504 of title 5,
9 United States Code, is amended—

10 (1) in subsection (c)(1), by striking “, United
11 States Code”;

12 (2) by redesignating subsection (f) as sub-
13 section (i); and

14 (3) by striking subsection (c) and inserting the
15 following:

1 “(e)(1) The Chairman of the Administrative Con-
2 ference of the United States, after consultation with the
3 Chief Counsel for Advocacy of the Small Business Admin-
4 istration, shall report to the Congress, not later than
5 March 31 of each year through the 6th calendar year be-
6 ginning after the initial report under this subsection is
7 submitted, on the amount of fees and other expenses
8 awarded during the preceding fiscal year pursuant to this
9 section. The report shall describe the number, nature, and
10 amount of the awards, the claims involved in the con-
11 troversy, and any other relevant information that may aid
12 the Congress in evaluating the scope and impact of such
13 awards. The report shall be made available to the public
14 online.

15 “(2)(A) The report required by paragraph (1) shall
16 account for all payments of fees and other expenses
17 awarded under this section that are made pursuant to a
18 settlement agreement, regardless of whether the settle-
19 ment agreement is sealed or otherwise subject to non-
20 disclosure provisions.

21 “(B) The disclosure of fees and other expenses re-
22 quired under subparagraph (A) does not affect any other
23 information that is subject to nondisclosure provisions in
24 the settlement agreement.

1 “(f) The Chairman of the Administrative Conference
2 shall create and maintain, during the period beginning on
3 the date the initial report under subsection (e) is sub-
4 mitted and ending one year after the date on which the
5 final report under that subsection is submitted, online a
6 searchable database containing the following information
7 with respect to each award of fees and other expenses
8 under this section:

9 “(1) The case name and number of the adver-
10 sary adjudication, if available.

11 “(2) The name of the agency involved in the
12 adversary adjudication.

13 “(3) A description of the claims in the adver-
14 sary adjudication.

15 “(4) The name of each party to whom the
16 award was made, as such party is identified in the
17 order or other agency document making the award.

18 “(5) The amount of the award.

19 “(6) The basis for the finding that the position
20 of the agency concerned was not substantially justi-
21 fied.

22 “(g) The online searchable database described in sub-
23 section (f) may not reveal any information the disclosure
24 of which is prohibited by law or court order.

1 “(h) The head of each agency shall provide to the
2 Chairman of the Administrative Conference in a timely
3 manner all information requested by the Chairman to
4 comply with the requirements of subsections (e), (f), and
5 (g).”.

6 (b) COURT CASES.—Section 2412(d) of title 28,
7 United States Code, is amended by adding at the end the
8 following:

9 “(5)(A) The Chairman of the Administrative Con-
10 ference of the United States shall submit to the Congress,
11 not later than March 31 of each year through the 6th cal-
12 endar year beginning after the initial report under this
13 paragraph is submitted, a report on the amount of fees
14 and other expenses awarded during the preceding fiscal
15 year pursuant to this subsection. The report shall describe
16 the number, nature, and amount of the awards, the claims
17 involved in each controversy, and any other relevant infor-
18 mation that may aid the Congress in evaluating the scope
19 and impact of such awards. The report shall be made
20 available to the public online.

21 “(B)(i) The report required by subparagraph (A)
22 shall account for all payments of fees and other expenses
23 awarded under this subsection that are made pursuant to
24 a settlement agreement, regardless of whether the settle-

1 ment agreement is sealed or otherwise subject to non-
2 disclosure provisions.

3 “(ii) The disclosure of fees and other expenses re-
4 quired under clause (i) does not affect any other informa-
5 tion that is subject to nondisclosure provisions in the set-
6 tlement agreement.

7 “(C) The Chairman of the Administrative Conference
8 shall include and clearly identify in the annual report
9 under subparagraph (A), for each case in which an award
10 of fees and other expenses is included in the report—

11 “(i) any amounts paid from section 1304 of
12 title 31 for a judgment in the case;

13 “(ii) the amount of the award of fees and other
14 expenses; and

15 “(iii) the statute under which the plaintiff filed
16 suit.

17 “(6) The Chairman of the Administrative Conference
18 shall create and maintain, during the period beginning on
19 the date the initial report under paragraph (5) is sub-
20 mitted and ending one year after the date on which the
21 final report under that paragraph is submitted, online a
22 searchable database containing the following information
23 with respect to each award of fees and other expenses
24 under this subsection:

25 “(A) The case name and number.

1 “(B) The name of the agency involved in the
2 case.

3 “(C) The name of each party to whom the
4 award was made, as such party is identified in the
5 order or other court document making the award.

6 “(D) A description of the claims in the case.

7 “(E) The amount of the award.

8 “(F) The basis for the finding that the position
9 of the agency concerned was not substantially justi-
10 fied.

11 “(7) The online searchable database described in
12 paragraph (6) may not reveal any information the disclo-
13 sure of which is prohibited by law or court order.

14 “(8) The head of each agency (including the Attorney
15 General of the United States) shall provide to the Chair-
16 man of the Administrative Conference of the United
17 States in a timely manner all information requested by
18 the Chairman to comply with the requirements of para-
19 graphs (5), (6), and (7).”.

20 (c) CLERICAL AMENDMENTS.—Section 2412 of title
21 28, United States Code, is amended—

22 (1) in subsection (d)(3), by striking “United
23 States Code,”; and

24 (2) in subsection (e)—

1 (A) by striking “of section 2412 of title
2 28, United States Code,” and inserting “of this
3 section”; and

4 (B) by striking “of such title” and insert-
5 ing “of this title”.

6 (d) EFFECTIVE DATE.—

7 (1) IN GENERAL.—The amendments made by
8 subsections (a) and (b) shall first apply with respect
9 to awards of fees and other expenses that are made
10 on or after the date of the enactment of this Act.

11 (2) INITIAL REPORTS.—The first reports re-
12 quired by section 504(e) of title 5, United States
13 Code, and section 2412(d)(5) of title 28, United
14 States Code, shall be submitted not later than
15 March 31 of the calendar year following the first
16 calendar year in which a fiscal year begins after the
17 date of the enactment of this Act.

18 (3) ONLINE DATABASES.—The online databases
19 required by section 504(f) of title 5, United States
20 Code, and section 2412(d)(6) of title 28, United
21 States Code, shall be established as soon as prac-
22 ticable after the date of the enactment of this Act,
23 but in no case later than the date on which the first
24 reports under section 504(e) of title 5, United States
25 Code, and section 2412(d)(5) of title 28, United

- 1 States Code, are required to be submitted under
- 2 paragraph (2) of this subsection.



2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BEYER OF VIRGINIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

19

**AMENDMENT TO H.R. 2406, AS REPORTED
OFFERED BY MR. BEYER OF VIRGINIA**

Page 9, strike “and” after the semicolon at line 14, strike the period at line 16 and insert “; and”, and after line 16 insert the following:

- 1 (5) prohibits use of the location by any indi-
- 2 vidual who is prohibited from purchasing a firearm
- 3 by section 922(g) of title 18, United States Code.

Page 10, strike “and” after the semicolon at line 6, strike the closing quotation marks and period at line 8 and insert “and”, and after line 8 insert the following:

- 4 “(F) prohibits use of the location by any
- 5 individual who is prohibited from purchasing a
- 6 firearm by section 922(g) of title 18, United
- 7 States Code.”.



3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE JACKSON LEE OF TEXAS OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

327

**AMENDMENT TO H.R. 2406, AS REPORTED
OFFERED BY MS. JACKSON LEE OF TEXAS**

Beginning at page 14, line 3, strike title III.



4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BUSTOS OF ILLINOIS OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

341

AMENDMENT TO H.R. 2406, AS REPORTED
OFFERED BY Ms. Bustos

Page 20, line 19, strike “; and” and insert a semi-colon.

Page 20, line 21, strike the period and insert “; and”.

Page 20, after line 21, insert the following:

1. “(viii) Administrator of the Small
2. Business Administration or designated rep-
3. resentative.



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

**AMENDMENT TO H.R. 2406 AS REPORTED
OFFERED BY MR. SMITH OF MISSOURI**

47L

Page 49, line 20, after the period, insert "Such closures shall be clearly marked with signs and dates of closures, and shall not include gates, chains, walls, or other barriers on the hunter access corridor."



6. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MENG OF NEW YORK OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

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

26

**AMENDMENT TO H.R. 2406, AS REPORTED
OFFERED BY MR. HUFFMAN OF CALIFORNIA**

At the end of title X add the following:

1 **SEC. ___ GOVERNMENT ACCOUNTABILITY OFFICE STUDY.**

2 Not later than 90 days after the date of the enact-
3 ment of this Act, the Comptroller General of the United
4 States shall conduct a study examining the effects of a
5 ban of the trade in of fossilized ivory from mammoths and
6 mastodons on the illegal importation and trade of African
7 and Asian elephant ivory within the United States, with
8 the exception of importation or trade thereof related to
9 museum exhibitions or scientific research, and report to
10 Congress the findings of such study.



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

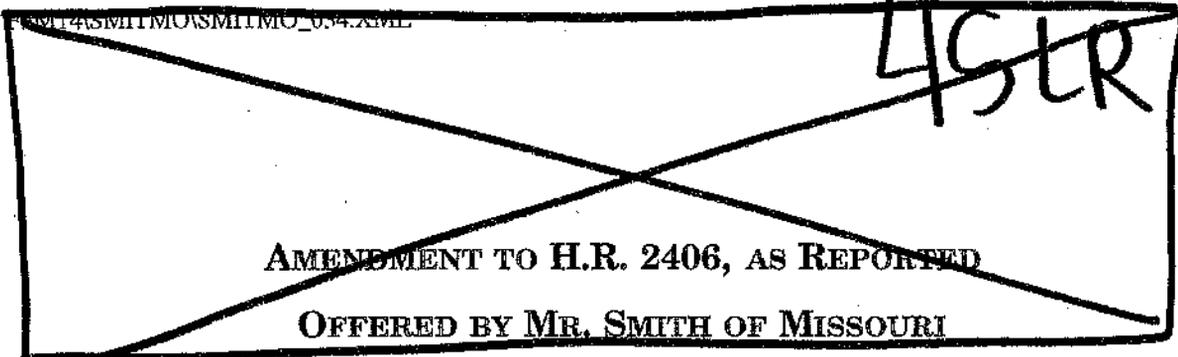
24

**AMENDMENT TO H.R. 2406, AS REPORTED
OFFERED BY MR. BEYER OF VIRGINIA**

Beginning at page 69, line 1, strike title XIV.



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



Page 71, Line 13, insert "the Mark Twain National Forest in the State of Missouri," after "Mississippi,".



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

440

**AMENDMENT TO H.R. 2406, AS REPORTED
OFFERED BY MR. NEWHOUSE OF WASHINGTON**

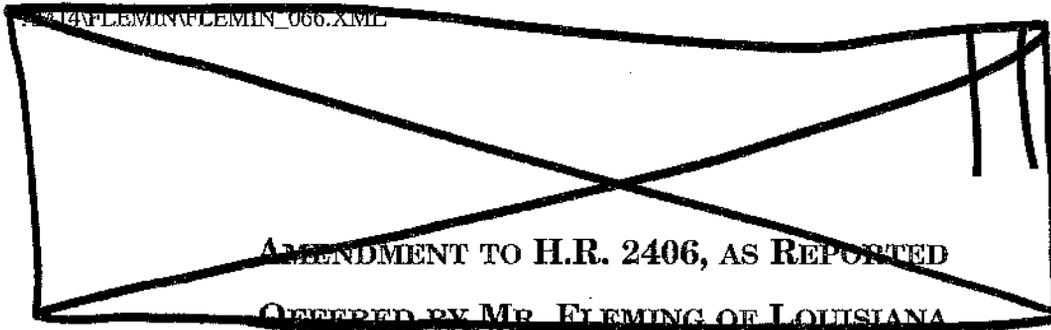
After section 1502, insert the following:

1 **SEC. 1503. PUBLICATION OF CLOSURE OF ROADS IN FOR-**
2 **ESTS.**

3 The Chief of the Forest Service shall publish a notice
4 in the Federal Register for the closure of any public road
5 on Forest System lands, along with a justification for the
6 closure.



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



At the end of the bill, add the following:

1 **TITLE XVII—UTILITY TERRAIN**
2 **VEHICLES**

3 **SEC. 1701. UTILITY TERRAIN VEHICLES IN KISATCHIE NA-**
4 **TIONAL FOREST.**

5 (a) IN GENERAL.—The Forest Administrator shall
6 amend the applicable travel plan to allow utility terrain
7 vehicles access on all roads nominated by the Secretary
8 of Louisiana Wildlife and Fisheries in the Kisatchie Na-
9 tional Forest, except when such designation would pose
10 an unacceptable safety risk, in which case the Forest Ad-
11 ministrator shall publish a notice in the Federal Register
12 with a justification for the closure.

13 (b) UTILITY TERRAIN VEHICLES DEFINED.—For
14 purposes of this section, the term “utility terrain vehi-
15 cle”—

16 (1) means any recreational motor vehicle de-
17 signed for and capable of travel over designated
18 roads, traveling on four or more tires with a max-
19 imum tire width of 27 inches, a maximum wheel
20 cleat or lug of $\frac{3}{4}$ of an inch, a minimum width of

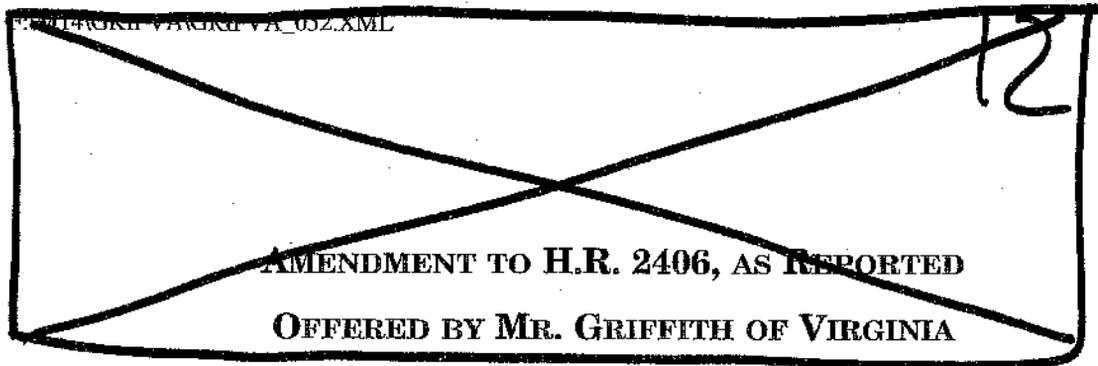
1 50 inches but not exceeding 74 inches, a minimum
2 weight of at least 700 pounds but not exceeding
3 2,000 pounds, and a minimum wheelbase of 61
4 inches but not exceeding 110 inches;

5 (2) includes vehicles not equipped with a certifi-
6 cation label as required by part 567.4 of title 49,
7 Code of Federal Regulations; and

8 (3) does not include golf carts, vehicles specially
9 designed to carry a disabled person, or vehicles oth-
10 erwise registered under section 32.299 of the Lou-
11 isiana State statutes.



12. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
GRIFFITH OF VIRGINIA OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES



Add at the end the following:

1 **TITLE** **XVII—INTERSTATE**
2 **TRANSPORTATION OF FIRE-**
3 **ARMS OR AMMUNITION**

4 **SEC. 1701. INTERSTATE TRANSPORTATION OF FIREARMS**
5 **OR AMMUNITION.**

6 (a) IN GENERAL.—Section 926A of title 18, United
7 States Code, is amended to read as follows:

8 **“§926A. Interstate transportation of firearms or am-**
9 **munication**

10 “(a) Notwithstanding any provision of any law, rule,
11 or regulation of a State or any political subdivision there-
12 of:

13 “(1) A person who is not prohibited by this
14 chapter from possessing, transporting, shipping, or
15 receiving a firearm or ammunition shall be entitled
16 to transport a firearm for any lawful purpose from
17 any place where the person may lawfully possess,
18 carry, or transport the firearm to any other such
19 place if, during the transportation, the firearm is
20 unloaded, and—

1 “(A) if the transportation is by motor vehi-
2 cle, the firearm is not directly accessible from
3 the passenger compartment of the vehicle, and,
4 if the vehicle is without a compartment separate
5 from the passenger compartment, the firearm is
6 in a locked container other than the glove com-
7 partment or console, or is secured by a secure
8 gun storage or safety device; or

9 “(B) if the transportation is by other
10 means, the firearm is in a locked container or
11 secured by a secure gun storage or safety de-
12 vice.

13 “(2) A person who is not prohibited by this
14 chapter from possessing, transporting, shipping, or
15 receiving a firearm or ammunition shall be entitled
16 to transport ammunition for any lawful purpose
17 from any place where the person may lawfully pos-
18 sess, carry, or transport the ammunition, to any
19 other such place if, during the transportation, the
20 ammunition is not loaded into a firearm, and—

21 “(A) if the transportation is by motor vehi-
22 cle, the ammunition is not directly accessible
23 from the passenger compartment of the vehicle,
24 and, if the vehicle is without a compartment
25 separate from the passenger compartment, the

1 ammunition is in a locked container other than
2 the glove compartment or console; or

3 “(B) if the transportation is by other
4 means, the ammunition is in a locked container.

5 “(b) In subsection (a), the term ‘transport’ includes
6 staying in temporary lodging overnight, stopping for food,
7 fuel, vehicle maintenance, an emergency, medical treat-
8 ment, and any other activity incidental to the transport,
9 but does not include transportation—

10 “(1) with the intent to commit a crime punish-
11 able by imprisonment for a term exceeding one year
12 that involves the use or threatened use of force
13 against another; or

14 “(2) with knowledge, or reasonable cause to be-
15 lieve, that such a crime is to be committed in the
16 course of, or arising from, the transportation.

17 “(e)(1) A person who is transporting a firearm or
18 ammunition may not be arrested or otherwise detained for
19 violation of any law or any rule or regulation of a State
20 or any political subdivision thereof related to the posses-
21 sion, transportation, or carrying of firearms, unless there
22 is probable cause to believe that the person is doing so
23 in a manner not provided for in subsection (a).

24 “(2) When a person asserts this section as a defense
25 in a criminal proceeding, the prosecution shall bear the

1 burden of proving, beyond a reasonable doubt, that the
2 conduct of the person did not satisfy the conditions set
3 forth in subsection (a).

4 “(3) When a person successfully asserts this section
5 as a defense in a criminal proceeding, the court shall
6 award the prevailing defendant a reasonable attorney’s
7 fee.

8 “(d)(1) A person who is deprived of any right, privi-
9 lege, or immunity secured by this section, section 926B
10 or 926C, under color of any statute, ordinance, regulation,
11 custom, or usage of any State or any political subdivision
12 thereof, may bring an action in any appropriate court
13 against any other person, including a State or political
14 subdivision thereof, who causes the person to be subject
15 to the deprivation, for damages and other appropriate re-
16 lief.

17 “(2) The court shall award a plaintiff prevailing in
18 an action brought under paragraph (1) damages and such
19 other relief as the court deems appropriate, including a
20 reasonable attorney’s fee.”.

21 (b) CLERICAL AMENDMENT.—The table of sections
22 for such chapter is amended in the item relating to section
23 926A by striking “firearms” and inserting “firearms or
24 ammunition”.



13. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HECK
OF NEVADA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

8R

**AMENDMENT TO H.R. 2406, AS REPORTED
OFFERED BY MR. HECK OF NEVADA**

At the end of the bill, add the following:

1 **TITLE XVII—GOOD SAMARITAN**
2 **SEARCH AND RECOVERY**

3 **SEC. 1701. SHORT TITLE.**

4 This title may be cited as the “Good Samaritan
5 Search and Recovery Act”.

6 **SEC. 1702. EXPEDITED ACCESS TO CERTAIN FEDERAL**
7 **LAND.**

8 (a) **DEFINITIONS.**—In this section:

9 (1) **ELIGIBLE.**—The term “eligible”, with re-
10 spect to an organization or individual, means that
11 the organization or individual, respectively, is—

12 (A) acting in a not-for-profit capacity; and

13 (B) composed entirely of members who, at
14 the time of the good Samaritan search-and-re-
15 covery mission, have attained the age of major-
16 ity under the law of the State where the mis-
17 sion takes place.

18 (2) **GOOD SAMARITAN SEARCH-AND-RECOVERY**
19 **MISSION.**—The term “good Samaritan search-and-
20 recovery mission” means a search conducted by an

1 eligible organization or individual for 1 or more
2 missing individuals believed to be deceased at the
3 time that the search is initiated.

4 (3) SECRETARY.—The term “Secretary” means
5 the Secretary of the Interior or the Secretary of Ag-
6 riculture, as applicable.

7 (b) PROCESS.—

8 (1) IN GENERAL.—Each Secretary shall develop
9 and implement a process to expedite access to Fed-
10 eral land under the administrative jurisdiction of the
11 Secretary for eligible organizations and individuals
12 to request access to Federal land to conduct good
13 Samaritan search-and-recovery missions.

14 (2) INCLUSIONS.—The process developed and
15 implemented under this subsection shall include pro-
16 visions to clarify that—

17 (A) an eligible organization or individual
18 granted access under this section—

19 (i) shall be acting for private pur-
20 poses; and

21 (ii) shall not be considered to be a
22 Federal volunteer;

23 (B) an eligible organization or individual
24 conducting a good Samaritan search-and-recov-
25 ery mission under this section shall not be con-

1 sidered to be a volunteer under section
2 102301(c) of title 54, United States Code;

3 (C) chapter 171 of title 28, United States
4 Code (commonly known as the “Federal Tort
5 Claims Act”), shall not apply to an eligible or-
6 ganization or individual carrying out a privately
7 requested good Samaritan search-and-recovery
8 mission under this section; and

9 (D) an eligible organization or entity who
10 conducts a good Samaritan search-and-recovery
11 mission under this section shall serve without
12 pay from the Federal Government for such
13 service.

14 (c) RELEASE OF FEDERAL GOVERNMENT FROM LI-
15 ABILITY.—The Secretary shall not require an eligible or-
16 ganization or individual to have liability insurance as a
17 condition of accessing Federal land under this section, if
18 the eligible organization or individual—

19 (1) acknowledges and consents, in writing, to
20 the provisions described in subparagraphs (A)
21 through (D) of subsection (b)(2); and

22 (2) signs a waiver releasing the Federal Gov-
23 ernment from all liability relating to the access
24 granted under this section and agrees to indemnify
25 and hold harmless the United States from any

1 claims or lawsuits arising from any conduct by the
2 eligible organization or individual on Federal land.

3 (d) APPROVAL AND DENIAL OF REQUESTS.—

4 (1) IN GENERAL.—The Secretary shall notify
5 an eligible organization or individual of the approval
6 or denial of a request by the eligible organization or
7 individual to carry out a good Samaritan search-
8 and-recovery mission under this section by not later
9 than 48 hours after the request is made.

10 (2) DENIALS.—If the Secretary denies a re-
11 quest from an eligible organization or individual to
12 carry out a good Samaritan search-and-recovery mis-
13 sion under this section, the Secretary shall notify the
14 eligible organization or individual of—

15 (A) the reason for the denial of the re-
16 quest; and

17 (B) any actions that the eligible organiza-
18 tion or individual can take to meet the require-
19 ments for the request to be approved.

20 (e) PARTNERSHIPS.—Each Secretary shall develop
21 search-and-recovery-focused partnerships with search-and-
22 recovery organizations—

23 (1) to coordinate good Samaritan search-and-
24 recovery missions on Federal land under the admin-
25 istrative jurisdiction of the Secretary; and

1 (2) to expedite and accelerate good Samaritan
2 search-and-recovery mission efforts for missing indi-
3 viduals on Federal land under the administrative ju-
4 risdiction of the Secretary.

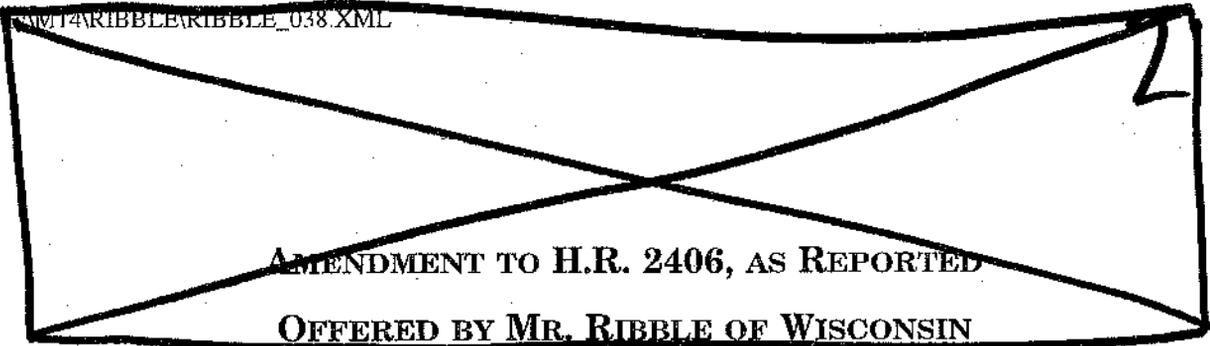
5 (f) REPORT.—Not later than 180 days after the date
6 of enactment of this Act, the Secretaries shall submit to
7 Congress a joint report describing—

8 (1) plans to develop partnerships described in
9 subsection (e)(1); and

10 (2) efforts carried out to expedite and accel-
11 erate good Samaritan search-and-recovery mission
12 efforts for missing individuals on Federal land under
13 the administrative jurisdiction of each Secretary
14 pursuant to subsection (e)(2).



14. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE RIBBLE
OF WISCONSIN OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES



At the end of the bill add the following:

1 **TITLE —GRAY WOLVES**

2 **SEC. 01. REISSUANCE OF FINAL RULE REGARDING GRAY**
3 **WOLVES IN THE WESTERN GREAT LAKES.**

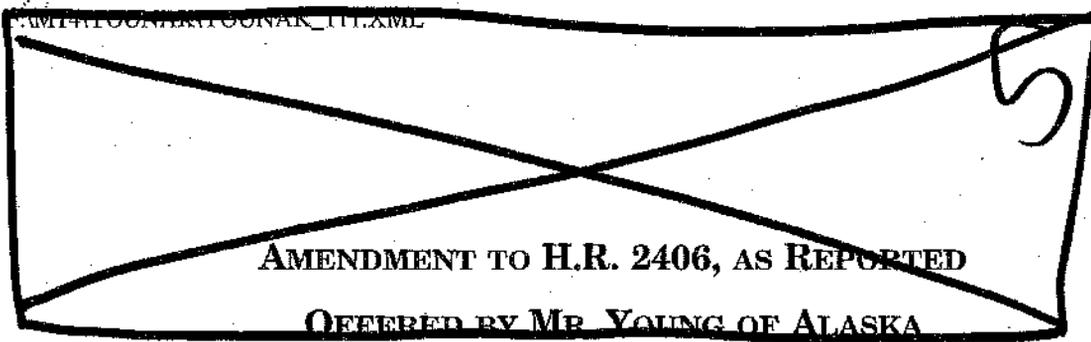
4 Before the end of the 60-day period beginning on the
5 date of enactment of this Act, the Secretary of the Interior
6 shall reissue the final rule published on December 28,
7 2011 (76 Fed. Reg. 81666), without regard to any other
8 provision of statute or regulation that applies to issuance
9 of such rule. Such reissuance shall not be subject to judi-
10 cial review.

11 **SEC. 02. REISSUANCE OF FINAL RULE REGARDING GRAY**
12 **WOLVES IN WYOMING.**

13 Before the end of the 60-day period beginning on the
14 date of enactment of this Act, the Secretary of the Interior
15 shall reissue the final rule published on September 10,
16 2012 (77 Fed. Reg. 55530), without regard to any other
17 provision of statute or regulation that applies to issuance
18 of such rule. Such reissuance shall not be subject to judi-
19 cial review.



15. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE YOUNG
OF ALASKA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES



Add at the end the following:

1 **TITLE _____ — MISCELLANEOUS**
2 **PROVISIONS**

3 **SEC. _01. PROHIBITION ON ISSUANCE OF FINAL RULE.**

4 The Director of the United States Fish and Wildlife
5 Service shall not issue a final rule that—

6 (1) succeeds the proposed rule entitled “Non-
7 Subsistence Take of Wildlife, and Public Participa-
8 tion and Closure Procedures, on National Wildlife
9 Refuges in Alaska” (81 Fed. Reg. 887 (January 8,
10 2016)); or

11 (2) is substantially similar to that proposed
12 rule.

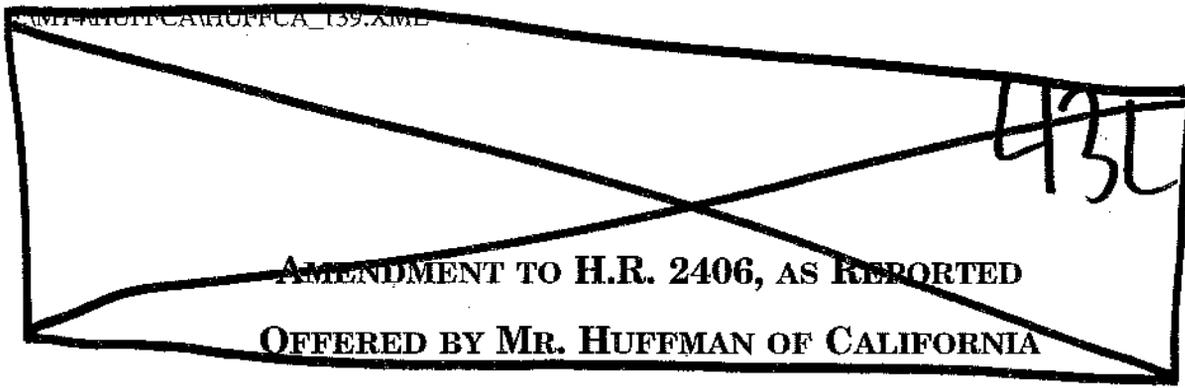
13 **SEC. _02. WITHDRAWAL OF EXISTING RULE REGARDING**
14 **HUNTING AND TRAPPING IN ALASKA.**

15 The Director of the National Park Service shall with-
16 draw the final rule entitled “Alaska; Hunting and Trap-
17 ping in National Preserves” (80 Fed. Reg. 64325 (Octo-
18 ber 23, 2015)) by not later than 30 days after the date

- 1 of the enactment of this Act, and shall not issue a rule
- 2 that is substantially similar to that rule.



16. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
HUFFMAN OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE FOR
10 MINUTES



Add at the end the following:

1 **TITLE _____ —PRESERVATION OF**
2 **ARCTIC COASTAL PLAIN AS**
3 **WILDERNESS**

4 **SEC. 01. SHORT TITLE.**

5 This title may be cited as the “Udall-Eisenhower Arc-
6 tic Wilderness Act”.

7 **SEC. 02. FINDINGS AND STATEMENT OF POLICY.**

8 (a) **FINDINGS.**—The Congress finds the following:

9 (1) Americans cherish the continued existence
10 of expansive, unspoiled wilderness ecosystems and
11 wildlife found on their public lands, and feel a
12 strong moral responsibility to protect this wilderness
13 heritage as an enduring resource to bequeath undis-
14 turbed to future generations of Americans.

15 (2) It is widely believed by ecologists, wildlife
16 scientists, public land specialists, and other experts
17 that the wilderness ecosystem centered around and
18 dependent upon the Arctic coastal plain of the Arctic
19 National Wildlife Refuge, Alaska, represents the
20 very epitome of a primeval wilderness ecosystem and

1 constitutes the greatest wilderness area and diversity
2 of wildlife habitats of its kind in the United States.

3 (3) President Dwight D. Eisenhower initiated
4 protection of the wilderness values of the Arctic
5 coastal plain in 1960 when he set aside 8,900,000
6 acres establishing the Arctic National Wildlife Range
7 expressly "for the purpose of preserving unique wild-
8 life, wilderness and recreational values".

9 (4) In 1980, when the Congress acted to
10 strengthen the protective management of the Eisen-
11 hower-designated area with the enactment of the
12 Alaska National Interest Lands Conservation Act
13 (Public Law 96-487), Representative Morris K.
14 Udall led the effort to more than double the size of
15 the Arctic National Wildlife Refuge and extend stat-
16 utory wilderness protection to most of the original
17 area.

18 (5) Before the enactment of the Alaska Na-
19 tional Interest Lands Conservation Act, the House
20 of Representatives twice passed legislation that
21 would have protected the entire Eisenhower-des-
22 igned area as wilderness, including the Arctic
23 coastal plain.

24 (6) A majority of Americans have supported
25 and continue to support preserving and protecting

1 the Arctic National Wildlife Refuge, including the
2 Arctic coastal plain, from any industrial development
3 and consider oil and gas exploration and develop-
4 ment in particular to be incompatible with the pur-
5 poses for which this incomparable wilderness eco-
6 system has been set aside.

7 (7) When the Arctic National Wildlife Refuge
8 was established in 1980 by paragraph (2) of section
9 303 of the Alaska National Interest Lands Con-
10 servation Act (Public Law 96-487; 94 Stat. 2390;
11 16 U.S.C. 668dd note), subparagraph (B)(iii) of
12 such paragraph specifically stated that one of the
13 purposes for which the Arctic National Wildlife Ref-
14 uge is established and managed would be to provide
15 the opportunity for continued subsistence uses by
16 local residents, and, therefore, the lands designated
17 as wilderness within the Refuge, including the area
18 designated by this title, are and will continue to be
19 managed consistent with such subparagraph.

20 (8) Canada has taken action to preserve those
21 portions of the wilderness ecosystem of the Arctic
22 that exist on its side of the international border and
23 provides strong legal protection for the habitat of
24 the Porcupine River caribou herd that migrates an-

1 nually through both countries to calve on the Arctic
2 coastal plain.

3 (9) The extension of full wilderness protection
4 for the Arctic coastal plain within the Arctic Na-
5 tional Wildlife Refuge will still leave most of the
6 North Slope of Alaska available for the development
7 of energy resources, which will allow Alaska to con-
8 tinue to contribute significantly to meeting the en-
9 ergy needs of the United States without despoiling
10 the unique Arctic coastal plain of the Arctic Na-
11 tional Wildlife Refuge.

12 (b) STATEMENT OF POLICY.—The Congress hereby
13 declares that it is the policy of the United States—

14 (1) to honor the decades of bipartisan efforts
15 that have increasingly protected the great wilderness
16 ecosystem of the Arctic coastal plain;

17 (2) to sustain this natural treasure for the cur-
18 rent generation of Americans; and

19 (3) to do everything possible to protect and pre-
20 serve this magnificent natural ecosystem so that it
21 may be bequeathed in its unspoiled natural condition
22 to future generations of Americans.

1 **SEC. 03. DESIGNATION OF ADDITIONAL WILDERNESS,**
2 **ARCTIC NATIONAL WILDLIFE REFUGE, ALAS-**
3 **KA.**

4 (a) **INCLUSION OF ARCTIC COASTAL PLAIN.**—In fur-
5 therance of the Wilderness Act (16 U.S.C. 1131 et seq.),
6 an area within the Arctic National Wildlife Refuge in the
7 State of Alaska comprising approximately 1,559,538
8 acres, as generally depicted on a map entitled “Arctic Na-
9 tional Wildlife Refuge—1002 Area Alternative E—Wilder-
10 ness Designation” and dated October 28, 1991, is hereby
11 designated as wilderness and, therefore, as a component
12 of the National Wilderness Preservation System. The map
13 referred to in this subsection shall be available for inspec-
14 tion in the offices of the Secretary of the Interior.

15 (b) **ADMINISTRATION.**—The Secretary of the Interior
16 shall administer the area designated as wilderness by sub-
17 section (a) in accordance with the Wilderness Act as part
18 of the wilderness area already in existence within the Arc-
19 tic National Wildlife Refuge as of the date of the enact-
20 ment of this Act.



17. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
LOWENTHAL OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE
FOR 10 MINUTES

9

**AMENDMENT TO H.R. 2406, AS REPORTED
OFFERED BY MR. LOWENTHAL OF CALIFORNIA**

Add at the end the following:

1 **TITLE _____ — MISCELLANEOUS**
2 **PROVISIONS**

3 **SEC. ____ . PERIODIC INCREASE IN PRICE OF MIGRATORY**
4 **BIRD HUNTING AND CONSERVATION STAMP**
5 **TO ACCOUNT FOR INFLATION.**

6 Section 2 of the Migratory Bird Hunting and Con-
7 servation Stamp Act (16 U.S.C. 718b) is amended—

8 (1) in subsection (b), by striking “The Postal”
9 and inserting “Except as provided in subsections (c)
10 and (d), the Postal”; and

11 (2) by adding at the end of the following:

12 “(d) INCREASE IN PRICE OF STAMP.—

13 “(1) INCREASE AUTHORIZED.—The Secretary
14 may, after notice and public comment, increase the
15 price of each stamp sold under this section by an
16 amount not to exceed \$10 for a hunting year if the
17 Secretary determines the increase—

18 “(A) is commensurate with the level of in-
19 flation as determined by the adjustments in the

1 Consumer Price Index since the last increase;
2 and

3 “(B) is approved unanimously by the Mi-
4 gratory Bird Conservation Commission.

5 “(2) EFFECTIVE DATE OF INCREASE.—An in-
6 crease in price under paragraph (1) shall take ef-
7 fect—

8 “(A) no earlier than 2 years after the ef-
9 fective date of the last increase in price; and

10 “(B) no later than January 1 of the cal-
11 endar year preceding the hunting year.”



House Calendar No. _____

114TH CONGRESS
2^D SESSION

H. RES. _____

Report No. 114-_____

Providing for consideration of the bill (H.R. 2406) to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 23, 2016

Mr. NEWHOUSE, from the Committee on Rules, reported the following resolution; which was referred to the House Calendar and ordered to be printed

RESOLUTION

Providing for consideration of the bill (H.R. 2406) to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes.

- 1 *Resolved*, That at any time after adoption of this reso-
- 2 lution the Speaker may, pursuant to clause 2(b) of rule
- 3 XVIII, declare the House resolved into the Committee of
- 4 the Whole House on the state of the Union for consider-
- 5 ation of the bill (H.R. 2406) to protect and enhance op-
- 6 portunities for recreational hunting, fishing, and shooting,
- 7 and for other purposes. The first reading of the bill shall

1 be dispensed with. All points of order against consider-
2 ation of the bill are waived. General debate shall be con-
3 fined to the bill and shall not exceed one hour equally di-
4 vided and controlled by the chair and ranking minority
5 member of the Committee on Natural Resources. After
6 general debate the bill shall be considered for amendment
7 under the five-minute rule. It shall be in order to consider
8 as an original bill for the purpose of amendment under
9 the five-minute rule the amendment in the nature of a sub-
10 stitute recommended by the Committee on Natural Re-
11 sources now printed in the bill. The committee amendment
12 in the nature of a substitute shall be considered as read.
13 All points of order against the committee amendment in
14 the nature of a substitute are waived. No amendment to
15 the committee amendment in the nature of a substitute
16 shall be in order except those printed in the report of the
17 Committee on Rules accompanying this resolution. Each
18 such amendment may be offered only in the order printed
19 in the report, may be offered only by a Member designated
20 in the report, shall be considered as read, shall be debat-
21 able for the time specified in the report equally divided
22 and controlled by the proponent and an opponent, shall
23 not be subject to amendment, and shall not be subject to
24 a demand for division of the question in the House or in
25 the Committee of the Whole. All points of order against

1 such amendments are waived. At the conclusion of consid-
2 eration of the bill for amendment the Committee shall rise
3 and report the bill to the House with such amendments
4 as may have been adopted. Any Member may demand a
5 separate vote in the House on any amendment adopted
6 in the Committee of the Whole to the bill or to the com-
7 mittee amendment in the nature of a substitute. The pre-
8 vious question shall be considered as ordered on the bill
9 and amendments thereto to final passage without inter-
10 vening motion except one motion to recommit with or
11 without instructions.