

RECREATIONAL FISHING AND HUNTING HERITAGE AND
OPPORTUNITIES ACT

JANUARY 31, 2014.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. HASTINGS of Washington, from the Committee on Natural
Resources, submitted the following

R E P O R T

together with

DISSENTING VIEWS

[To accompany H.R. 1825]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 1825) to direct Federal public land management officials to exercise their authority under existing law to facilitate use of and access to Federal public lands for fishing, sport hunting, and recreational shooting, and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of H.R. 1825 is to direct Federal public land management officials to exercise their authority under existing law to facilitate use of and access to Federal public lands for fishing, sport hunting, and recreational shooting.

BACKGROUND AND NEED FOR LEGISLATION

H.R. 1825, the Recreational Fishing and Hunting Heritage and Opportunities Act, clarifies federal authorities and policies for the management of hunting and fishing on public lands. It provides additional protections for continued public access to public land for the purpose of recreational fishing, hunting, and shooting sports on U.S. Forest Service (FS) and Bureau of Land Management (BLM)

lands. The provisions of H.R. 1825 require federal land managers to support and facilitate public use and access for hunting, fishing and recreational shooting and create an “open until closed” management regime for these activities on FS and BLM land, but does not give these uses priority over other multiple uses. It requires an evaluation of the impact on hunting, fishing and recreational shooting in land and resource planning and eliminates redundancies in environmental review of hunting, fishing and recreational shooting opportunities. The bill restates, in unambiguous language, Congress’ consistent position that BLM and FS lands designated as wilderness, wilderness eligible, or suitable and primitive or semi-primitive areas are open to all legal forms of hunting, fishing and recreational shooting unless there are good reasons to close such areas. It also forecloses opportunities for continued nuisance lawsuits by classifying hunting, fishing and recreational shooting as “necessary” to meet the minimum requirements for the administration of wilderness.

Although Congress has spoken many times on the issue of hunting, fishing and shooting sports on our multiple-use public lands and has always come down on the side of allowing these sporting activities to take place under state laws, these activities continue to come under attack and legal challenge from groups that are opposed to hunting in general as well as from those who seek to restrict these activities in designated wilderness areas. By clarifying the statutory obligations of land managing agencies, H.R. 1825 protects and fosters fishing, hunting, and shooting traditions on federal public lands to ensure that federal land management agencies—primarily the FS and the BLM—exercise their land management discretion to facilitate access for sportsmen activities. Under the provisions of H.R. 1825, these activities will be considered authorized and approved and thereby limit the ability of anti-hunting advocacy groups to use any ambiguity in the laws and force the land managing agencies to defend these activities in court or through the quagmire of administrative procedures, diverting resources that could otherwise be used for public recreation and wildlife conservation activities.

The provisions of H.R. 1825 are needed to restore the legal status quo that prevailed for decades until a small number of federal court cases—primarily in San Francisco’s Ninth Circuit—effectively rewrote these provisions, disregarded plain language enacted by Congress as well as years of established precedent and practice by professional federal land managers. Wildlife conservation, for example, is the primary mission of all National Wildlife Refuge units. Consistent with these purposes, for decades the U.S. Fish and Wildlife Service (FWS) and the Arizona Department of Game and Fish (AZGF) along with private conservationists constructed and maintained water “guzzlers” in the Kofa National Wildlife Refuge in Arizona to enhance and maintain bighorn sheep populations. When Congress designated portions of Kofa as wilderness in the 1980s, it recognized these activities and concluded that the water for wildlife program on Kofa was consistent with the “supplemental” purposes of wilderness as expressly set forth in section 4(a) of the 1964 Wilderness Act (Public Law 88-577; 16 U.S.C. §1133(a)).

Nevertheless, in 2007, activists sued FWS to terminate the water for wildlife program and remove the guzzlers on the grounds that Kofa was a wilderness first (and no structures were to be permitted) and a wildlife refuge established for the conservation of bighorn sheep second. FWS and wildlife conservationists strongly disagreed. A U.S. District court upheld FWS and AZGF and allowed the water-for-wildlife program to continue. The U.S. Court of Appeals for the Ninth Circuit did not. H.R. 1825 merely reiterates the plain language of the 1964 Wilderness Act that its purposes are “supplemental” to the primary purposes of the underlying federal land designation—in this case a wildlife refuge. This change, necessitated by judicial disregard of plain statutory language, is not a change in the Wilderness Act but restoration of the legal status quo that existed from 1964 until 2010.

In certain other cases, Ninth Circuit decisions also overruled professional agency determinations and disregarded long-established understandings of the “necessity” standard set forth in section 4(c) of the 1964 Wilderness Act. To ensure that anti-fishing/anti-hunting activists may not use these recent court precedents to attack fishing or hunting within wilderness areas as not being “necessary,” H.R. 1825 specifies that opportunities to fish and hunt on wilderness lands are in fact “necessary.” Nothing in this language, tailored to reverse inappropriate judicial activism, authorizes any forms of roads or mechanized vehicle access in these units. Nothing in the bill includes any references to allowing, directly or indirectly, roads or vehicles in wilderness areas. Section 4(e) clearly states that this necessity determination provision, “shall not authorize or facilitate commodity development, use or extraction, motorized recreational access or use that is not otherwise allowed under the Wilderness Act (16 U.S.C. 1131 et seq.), or permanent road construction or maintenance within designated wilderness areas.”

A similar problem with regard to the National Environmental Policy Act (NEPA) is also corrected in the bill. Again, H.R. 1825 is narrowly tailored to fix a problem created by judicial disregard of previously enacted law. In this case, the 1997 Refuge Improvement Act (which passed the House with one dissenting vote and was signed into law by President Clinton) provided that fishing and hunting were “priority public uses” on National Wildlife Refuge units and that FWS would facilitate these uses by preparing Comprehensive Conservation Plans (CCPs) for each Refuge. Per the Act, the environmental effects of fishing and hunting would be assessed and evaluated in these CCPs.

Six years later animal rights activists filed suit seeking to close hunting on over 50 Refuges. They argued the CCPs weren’t enough to satisfy NEPA. FWS argued that no purpose would be served, and finite time and money wasted, by assessing the “cumulative effects,” for example, of deer hunting on Georgia’s Bond Swamp Refuge, woodcock hunting in the Canaan Valley Refuge in West Virginia, duck hunting on a North Dakota refuge, and moose hunting on a remote Alaska unit. None of the activities were in fact connected so there could be no cumulative effects. This fell on deaf ears in the courtroom and a D.C. federal court sided with the anti-hunting activists by ordering FWS to prepare additional cumulative effects assessments. FWS proceeded to spend the next three years wasting thousands of hours and dollars to prepare these un-

necessary cumulative effects assessments. H.R. 1825 reiterates the intent of the 1997 Refuge Act that the CCPs are sufficient to satisfy NEPA and spare FWS the time and cost of preparing superfluous cumulative effects analyses of these priority public uses. It is far better for the FWS to target its resources at on-the-ground conservation and management of the National Wildlife Refuge System.

The conservation movement was started by American sportsmen a century ago and since then almost all of our most successful wildlife conservation programs have been associated with recreational hunting and fishing. Species that were once rare, such as wild turkeys, deer, bear and wood ducks, are now plentiful as a result of private efforts by sportsmen and scientific management by state fish and game departments. H. R. 1825 supports sound wildlife conservation and recognizes the conservation benefits of protecting and extending recreational sporting activities.

COMMITTEE ACTION

H.R. 1825 was introduced on May 3, 2013 by Congressman Dan Benishek (R-MI). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittees on Public Lands and Environmental Regulation and Fisheries, Wildlife, Oceans, and Insular Affairs. The bill was additionally referred to the Committee on Agriculture. On May 9, 2013, the Subcommittee on Public Lands and Environmental Regulation held a hearing on the bill. On June 12, 2013, the Natural Resources Committee met to consider the bill. The Subcommittees were discharged by unanimous consent. Congressman DeFazio (D-OR) offered amendment designated .027 to the bill; the amendment was not adopted by a rollcall vote of 18 to 24, as follows:

Committee on Natural Resources
U.S. House of Representatives
113th Congress

Date: June 12, 2013

Recorded Vote #: 8

Meeting on / Amendment on: H.R. 1825 - DEFAZIO.027 (ANS), Not agreed to by a vote of 18 yeas and 24 nays

MEMBERS	Yea	Nay	Pres	MEMBERS	Yea	Nay	Pres
Mr. Hastings, WA, Chairman		X		Mr. Duncan of SC		X	
<i>Mr. Markey, MA, Ranking</i>				<i>Ms. Hanabusa, HI</i>	X		
Mr. Young, AK		X		Mr. Tipton, CO		X	
<i>Mr. Defazio, OR</i>	X			<i>Mr. Cardenas, CA</i>	X		
Mr. Gohmert, TX		X		Mr. Gosar, AZ		X	
<i>Mr. Faleomavaega, AS</i>	X			<i>Mr. Horsford, NV</i>	X		
Mr. Bishop, UT		X		Mr. Labrador, ID		X	
<i>Mr. Pallone, NJ</i>	X			<i>Mr. Huffman, CA</i>	X		
Mr. Lamborn, CO		X		Mr. Southerland, FL		X	
<i>Mrs. Napolitano, CA</i>	X			<i>Mr. Ruiz, CA</i>	X		
Mr. Wittman, VA		X		Mr. Flores, TX		X	
<i>Mr. Holt, NJ</i>	X			<i>Ms. Shea-Porter, NH</i>	X		
Mr. Broun, GA		X		Mr. Runyan, NJ		X	
<i>Mr. Grijalva, AZ</i>	X			<i>Mr. Lowenthal, CA</i>	X		
Mr. Fleming, LA		X		Mr. Amodei, NV			
<i>Ms. Bordallo, GU</i>	X			<i>Mr. Garcia, FL</i>	X		
Mr. McClintock, CA		X		Mr. Mullin, OK		X	
<i>Mr. Costa, CA</i>				<i>Mr. Cartwright, PA</i>	X		
Mr. Thompson, PA		X		Mr. Stewart, UT		X	
<i>Mr. Sablan, CNMI</i>				Mr. Daines, MT		X	
Ms. Lummis, WY		X		Mr. Cramer, ND		X	
<i>Ms. Tsongas, MA</i>	X			Mr. LaMalfa, CA			
Mr. Benishek, MI		X		Mr. Smith, MO		X	
<i>Mr. Pierluisi, PR</i>	X						
				TOTALS	18	24	

Congressman Raúl Grijalva (D–AZ) offered amendment designated .046 to the bill; the amendment was not adopted by a bipartisan rollcall vote of 15 to 26, as follows:

Committee on Natural Resources
U.S. House of Representatives
113th Congress

Date: June 12, 2013

Recorded Vote #: 7

Meeting on / Amendment on: H.R. 1825 - GRIJALVA.046, Not agreed to by a vote of 15 yeas and 26 nays

MEMBERS	Yea	Nay	Pres	MEMBERS	Yea	Nay	Pres
Mr. Hastings, WA, Chairman		X		Mr. Duncan of SC		X	
<i>Mr. Markey, MA, Ranking</i>				<i>Ms. Hanabusa, HI</i>	X		
Mr. Young, AK		X		Mr. Tipton, CO		X	
<i>Mr. Defazio, OR</i>	X			<i>Mr. Cardenas, CA</i>			
Mr. Gohmert, TX		X		Mr. Gosar, AZ		X	
<i>Mr. Faleomavaega, AS</i>	X			<i>Mr. Horsford, NV</i>	X		
Mr. Bishop, UT		X		Mr. Labrador, ID		X	
<i>Mr. Pallone, NJ</i>	X			<i>Mr. Huffman, CA</i>	X		
Mr. Lamborn, CO		X		Mr. Southerland, FL		X	
<i>Mrs. Napolitano, CA</i>	X			<i>Mr. Ruiz, CA</i>		X	
Mr. Wittman, VA		X		Mr. Flores, TX		X	
<i>Mr. Holt, NJ</i>	X			<i>Ms. Shea-Porter, NH</i>	X		
Mr. Broun, GA		X		Mr. Runyan, NJ		X	
<i>Mr. Grijalva, AZ</i>	X			<i>Mr. Lowenthal, CA</i>	X		
Mr. Fleming, LA		X		Mr. Amodei, NV			
<i>Ms. Bordallo, GU</i>	X			<i>Mr. Garcia, FL</i>		X	
Mr. McClintock, CA		X		Mr. Mullin, OK		X	
<i>Mr. Costa, CA</i>				<i>Mr. Cartwright, PA</i>	X		
Mr. Thompson, PA		X		Mr. Stewart, UT		X	
<i>Mr. Sablan, CNMI</i>				Mr. Daines, MT		X	
Ms. Lummis, WY		X		Mr. Cramer, ND		X	
<i>Ms. Tsongas, MA</i>	X			Mr. LaMalfa, CA			
Mr. Benishek, MI		X		Mr. Smith, MO		X	
<i>Mr. Pierluisi, PR</i>	X						
				TOTALS	15	26	

The bill was then adopted and ordered favorably reported to the House of Representatives by a bipartisan rollcall vote of 28 to 15, as follows:

Committee on Natural Resources

U.S. House of Representatives

113th Congress

Date: June 12, 2013

Recorded Vote #: 9

Meeting on / Amendment on: H.R. 1825 - To adopt and favorably report the bill to the House agreed to by a vote of 28 yeas to 15 nays

MEMBERS	Yea	Nay	Pres	MEMBERS	Yea	Nay	Pres
Mr. Hastings, WA, Chairman	X			Mr. Duncan of SC	X		
<i>Mr. Markey, MA, Ranking</i>				<i>Ms. Hanabusa, HI</i>		X	
Mr. Young, AK	X			Mr. Tipton, CO	X		
<i>Mr. Defazio, OR</i>	X			<i>Mr. Cardenas, CA</i>		X	
Mr. Gohmert, TX	X			Mr. Gosar, AZ	X		
<i>Mr. Faleomavaega, AS</i>	X			<i>Mr. Horsford, NV</i>	X		
Mr. Bishop, UT	X			Mr. Labrador, ID	X		
<i>Mr. Pallone, NJ</i>		X		<i>Mr. Huffman, CA</i>		X	
Mr. Lamborn, CO	X			Mr. Southerland, FL	X		
<i>Mrs. Napolitano, CA</i>		X		<i>Mr. Ruiz, CA</i>		X	
Mr. Wittman, VA	X			Mr. Flores, TX	X		
<i>Mr. Holt, NJ</i>		X		<i>Ms. Shea-Porter, NH</i>		X	
Mr. Broun, GA	X			Mr. Runyan, NJ	X		
<i>Mr. Grijalva, AZ</i>		X		<i>Mr. Lowenthal, CA</i>		X	
Mr. Fleming, LA	X			Mr. Amodei, NV			
<i>Ms. Bordallo, GU</i>		X		<i>Mr. Garcia, FL</i>		X	
Mr. McClintock, CA	X			Mr. Mullin, OK	X		
<i>Mr. Costa, CA</i>	X			<i>Mr. Cartwright, PA</i>		X	
Mr. Thompson, PA	X			Mr. Stewart, UT	X		
<i>Mr. Sablan, CNMI</i>				Mr. Daines, MT	X		
Ms. Lummis, WY	X			Mr. Cramer, ND	X		
<i>Ms. Tsongas, MA</i>		X		Mr. LaMalfa, CA			
Mr. Benishek, MI	X			Mr. Smith, MO	X		
<i>Mr. Pierluisi, PR</i>		X					
				TOTALS	28	15	

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Natural Resources' oversight findings and recommendations are reflected in the body of this report.

COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3(d)(1) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. However, clause 3(d)(2)(B) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974. Under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for this bill from the Director of the Congressional Budget Office:

H.R. 1825—Recreational Fishing and Hunting Heritage and Opportunities Act

H.R. 1825 would require federal land management agencies to provide access to certain federal lands for hunting, fishing, and recreational shooting activities. The bill also would require those agencies to prepare annual reports identifying lands that have been closed to such activities. Based on information provided by the affected agencies, CBO estimates that implementing the legislation would have no significant impact on the federal budget. Enacting H.R. 1825 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

Because the Bureau of Land Management, the Forest Service, and other land management agencies have the authority to allow hunting, fishing, and recreational shooting on lands under their jurisdictions, CBO expects that implementing the bill would not significantly affect agency operations. In addition, the activities necessary to complete the annual reports required under the bill are similar to activities performed by the affected agencies under current law. Therefore, we estimate that implementing the legislation would have no significant impact on the budgets of those agencies.

H.R. 1825 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

The CBO staff contact for this estimate is Jeff LaFave. The estimate was approved by Theresa Gullo, Deputy Assistant Director for Budget Analysis.

2. Section 308(a) of Congressional Budget Act. As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures. Based on information provided by the affected agencies, CBO estimates that implementing the legislation would have no significant impact on the federal budget.

3. General Performance Goals and Objectives. As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill is to direct Federal public land management officials to exercise their authority under existing law to facilitate use of and access to Federal public lands for fishing, sport hunting, and recreational shooting.

EARMARK STATEMENT

This bill does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined under clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives.

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

COMPLIANCE WITH H. RES. 5

Directed Rule Making. The Chairman does not believe that this bill directs any executive branch official to conduct any specific rule-making proceedings.

Duplication of Existing Programs. This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program. Such program was not included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111-139 or identified in the most recent Catalog of Federal Domestic Assistance published pursuant to the Federal Program Information Act (Public Law 95-220, as amended by Public Law 98-169) as relating to other programs.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW

If enacted, this bill would make no changes in existing law.

DISSENTING VIEWS

For generations, American families have taken advantage of the hunting and fishing opportunities on the majority of federal public lands. As consistent supporters of recreation on public lands including hunting and fishing, among other activities, we have welcomed the opportunity to work with all stakeholders to ensure that future generations can continue this great tradition by ensuring access, as well as ensuring proper, sustainable management to maintain the balance of competing interests.

Opportunities to hunt and fish on public land are abundant. These activities are already allowed in designated wilderness areas and in wildlife refuges. Proponents of this bill are simply interested in an ideological agenda of rolling back environmental protections as well as removing landmark conservation laws that have protected our treasured public lands for decades.

Because of the wide-ranging support for hunting and fishing, H.R. 1825 could be bipartisan, noncontroversial legislation. Unfortunately, that does not appear to be the goal of this measure.

Rather, H.R. 1825 includes sweeping provisions that would undermine the Wilderness Act, National Environmental Policy Act (NEPA) and the National Wildlife Refuge System Administration Act. For example, Section 4(e)(1) would permit temporary roads, motorized equipment and motorboats, use of motor vehicles, landing of aircraft, structures and installations, and other forms of mechanical transport in designated wilderness if it is to support and facilitate recreational fishing, hunting, and shooting opportunities. This section could threaten the wilderness characteristics of some of America's wildest and most treasured places.

The bill also waives NEPA for all decisions regarding amendments to land use plans or refuge conservation plans concerning hunting or fishing. While these activities are appropriate uses of public lands, they clearly have impacts on those lands and the general public, including hunters and fishermen, should be consulted on those decisions through NEPA and other laws.

H.R. 1825 uses an issue on where there is broad agreement—the importance of hunting and fishing on public lands—as cover to make unnecessary changes to landmark conservation laws. If enacted, H.R. 1825 could destroy the wilderness character of many designated wilderness areas and permanently alter wildlife refuge management. As a result, enactment of H.R. 1825 would destroy wildlife habitat, severely limiting opportunities for the recreational pursuits the bill claims to protect.

We support hunting and fishing on federal lands and we stand ready to work constructively with the Majority to promote and enhance responsible recreational opportunities. H.R. 1825 does neither.

PETER DEFAZIO,
*Ranking Member, Committee
on Natural Resources.*

RAÚL GRIJALVA,
*Ranking Member, Sub-
committee on Public Lands
and Environmental Regu-
lation.*

FRANK D. LUCAS, OKLAHOMA
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 TED K. YONG, FLORIDA

EXCHANGE OF LETTERS
 U.S. House of Representatives
 Committee on Agriculture
 Room 1301, Longworth House Office Building
 Washington, DC 20515-6001

(202) 225-2171
 (202) 225-9917 FAX

June 27, 2013

COLLIN C. PETERSON, MINNESOTA
 RAYMOND MENDOSY, ARIZONA
 MIKE MINTOFF, NORTH CAROLINA
 DAVID SCOTT, GEORGIA
 JIM COSTA, CALIFORNIA
 THOMAS J. WAGZ, MINNESOTA
 KURT DE HAAS, OHIO
 MARGIE L. FURZE, OHIO
 JAMES H. MOSEBACH, MASSACHUSETTS
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 JUAN VARGAS, CALIFORNIA
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NIKHIL S. SCOTT
 STAFF DIRECTOR
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 CHIEF CLERK
 ROBERT L. CARSW
 MANAGER, STAFF DIRECTOR

The Honorable Doc Hastings
 Chairman
 Committee on Natural Resources
 1324 Longworth HOB
 Washington, D.C. 20515

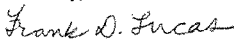
Dear Chairman Hastings:

Thank you for the opportunity to review the relevant provisions of the text of H.R. 1825, the Recreational Fishing and Hunting Heritage and Opportunity 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. 1825 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,

 Frank D. Lucas
 Chairman

cc: The Honorable John A. Boehner, Speaker
 The Honorable Collin C. Peterson
 The Honorable Edward J. Markey
 Mr. Thomas J. Wickham, Parliamentarian

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TODD YOUNG
 CHIEF OF STAFF

U.S. House of Representatives
Committee on Natural Resources
 Washington, DC 20515

July 3, 2013

EDWARD J. MARKEY, MA
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 DEMOCRATIC STAFF DIRECTOR

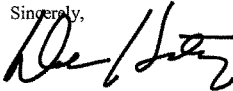
The Honorable Frank D. Lucas
 Chairman
 Committee on Agriculture
 1301 Longworth HOB
 Washington, D.C. 20515

Dear Mr. Chairman:

Thank you for your letter regarding H.R. 1825, the Recreational Fishing and Hunting Heritage and Opportunities Act. As you know, the Committee on Natural Resources ordered reported the bill on June 12, 2013. I appreciate your support in bringing this legislation before the House of Representatives, and accordingly, understand that the Committee on Agriculture will forego action on the bill.

The Committee on Natural Resources concurs with the mutual understanding that by foregoing consideration of H.R. 1825 at this time, the Committee on Agriculture does not waive any jurisdiction over the subject matter contained in this or similar legislation. 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 your letter and this response in the bill report filed by the Committee on Natural Resources, as well as in the *Congressional Record* during floor consideration, to memorialize our understanding.

Thank you for your cooperation.

Sincerely,

 Doc Hastings
 Chairman

cc: The Honorable John A. Boehner, Speaker
 The Honorable Edward J. Markey
 The Honorable Collin C. Peterson
 Mr. Thomas J. Wickham, Parliamentarian