

108TH CONGRESS  
2D SESSION

# **H. R. 2966**

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## **AN ACT**

To preserve the use and access of pack and saddle stock animals on public lands, including wilderness areas, national monuments, and other specifically designated areas, administered by the National Park Service, the Bureau of Land Management, the United States Fish and Wildlife Service, or the Forest Service where there is a historical tradition of such use, and for other purposes.



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1       *Be it enacted by the Senate and House of Representa-*  
2   *tives of the United States of America in Congress assembled,*

3   **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Right-to-Ride Live-  
5   stock on Federal Lands Act of 2004”.

6   **SEC. 2. USE AND ACCESS OF PACK AND SADDLE ANIMALS**

7           **ON PUBLIC LANDS.**

8       (a) NATIONAL PARK SYSTEM LANDS.—Section 12 of  
9   Public Law 91–383 (16 U.S.C. 1a–7) is amended by add-  
10   ing at the end the following new subsection:

11       “(c) USE AND ACCESS OF PACK AND SADDLE ANI-  
12   MALS.—

13           “(1) GENERAL RULE.—The Secretary of the  
14   Interior shall provide for the management of Na-  
15   tional Park System lands to preserve and facilitate  
16   the continued use and access of pack and saddle  
17   stock animals on such lands, including wilderness  
18   areas, national monuments, and other specifically  
19   designated areas, where there is a historical tradi-  
20   tion of such use. As a general rule, all trails, routes,  
21   and areas used by pack and saddle stock shall re-  
22   main open and accessible for such use. The Sec-  
23   retary may implement a proposed reduction in the  
24   use and access of pack and saddle stock animals on  
25   such lands only after complying with the full review

1 process required under the National Environmental  
2 Policy Act of 1969 (42 U.S.C. 4321 et seq.).

3       “(2) RULES OF CONSTRUCTION.—Nothing in  
4 paragraph (1) shall be construed—

5           “(A) to authorize the Secretary to refuse  
6 to issue a permit for a new use of pack and  
7 saddle stock animals, including use by a com-  
8 mercial outfitter or guide, without complying  
9 with applicable resource management plans and  
10 planning processes required under this Act or  
11 any other provision of law;

12           “(B) to limit the authority of the Secretary  
13 to impose a temporary emergency closure of a  
14 trail, route, or area to pack and saddle stock  
15 animals or issue special permits; or

16           “(C) to create a preference for one rec-  
17 reational use for any unit of the National Park  
18 System, without consideration of the stated  
19 purpose of the unit.”.

20       (b) BUREAU OF LAND MANAGEMENT LANDS.—Sec-  
21 tion 302 of the Federal Land Policy and Management Act  
22 of 1976 (43 U.S.C. 1732) is amended by adding at the  
23 end the following new subsection:

24           “(e) USE AND ACCESS OF PACK AND SADDLE ANI-  
25 MALS.—

1           “(1) GENERAL RULE.—The Secretary shall pro-  
2        vide for the management of public lands to preserve  
3        and facilitate the continued use and access of pack  
4        and saddle stock animals on such lands, including  
5        wilderness areas, national monuments, and other  
6        specifically designated areas, where there is a histor-  
7        ical tradition of such use. As a general rule, all  
8        trails, routes, and areas used by pack and saddle  
9        stock shall remain open and accessible for such use.  
10       The Secretary may implement a proposed reduction  
11      in the use and access of pack and saddle stock ani-  
12      mals on such lands only after complying with the  
13      full review process required under the National En-  
14      vironmental Policy Act of 1969 (42 U.S.C. 4321 et  
15      seq.).

16           “(2) RULES OF CONSTRUCTION.—Nothing in  
17      paragraph (1) shall be construed—

18           “(A) to authorize the Secretary to refuse  
19      to issue a permit for a new use of pack and  
20      saddle stock animals, including use by a com-  
21      mercial outfitter or guide, without complying  
22      with applicable resource management plans and  
23      planning processes required under this Act or  
24      any other provision of law;

1                   “(B) to limit the authority of the Secretary  
2                   to impose a temporary emergency closure of a  
3                   trail, route, or area to pack and saddle stock  
4                   animals or issue special permits; or

5                   “(C) to create a preference for one rec-  
6                   reational use for any area of the public lands,  
7                   without consideration of the stated purpose of  
8                   the area.”.

9                   (c) NATIONAL WILDLIFE REFUGE SYSTEM LANDS.—  
10                  Section 4(d) of the National Wildlife Refuge System Ad-  
11                  ministration Act of 1966 (16 U.S.C. 668dd(d)) is amend-  
12                  ed by adding at the end the following new paragraph:

13                  “(5)(A) The Secretary shall provide for the manage-  
14                  ment of System lands to preserve and facilitate the contin-  
15                  ued use and access of pack and saddle stock animals on  
16                  such lands, including wilderness areas, national monu-  
17                  ments, and other specifically designated areas, where there  
18                  is a historical tradition of such use. As a general rule,  
19                  all trails, routes, and areas used by pack and saddle stock  
20                  shall remain open and accessible for such use. The Sec-  
21                  retary may implement a proposed reduction in the use and  
22                  access of pack and saddle stock animals on such lands only  
23                  after complying with the full review process required under  
24                  the National Environmental Policy Act of 1969 (42 U.S.C.  
25                  4321 et seq.).

1       “(B) Nothing in subparagraph (A) shall be  
2 construed—

3           “(i) to authorize the Secretary to refuse to  
4 issue a permit for a new use of pack and saddle  
5 stock animals, including use by a commercial out-  
6 fitter or guide, without complying with applicable re-  
7 source management plans and planning processes re-  
8 quired under this Act or any other provision of law;

9           “(ii) to limit the authority of the Secretary to  
10 impose a temporary emergency closure of a trail,  
11 route, or area to pack and saddle stock animals or  
12 issue special permits; or

13           “(iii) to create a preference for one recreational  
14 use for any unit of the System, without consider-  
15 ation of the stated purpose of the unit.”.

16       (d) NATIONAL FOREST SYSTEM LANDS.—Section 15  
17 of the Forest and Rangeland Renewable Resources Plan-  
18 ning Act of 1974 (16 U.S.C. 1613) is amended—

19           (1) by inserting “(a)” before “REGULATIONS”;  
20 and

21           (2) by adding at the end the following new sub-  
22 section:

23       “(b) USE AND ACCESS OF PACK AND SADDLE ANI-  
24 MALS.—

1           “(1) GENERAL RULE.—The Secretary shall pro-  
2        vide for the management of National Forest System  
3        lands to preserve and facilitate the continued use  
4        and access of pack and saddle stock animals on such  
5        lands, including wilderness areas, national monu-  
6        ments, and other specifically designated areas, where  
7        there is a historical tradition of such use. As a gen-  
8        eral rule, all trails, routes, and areas used by pack  
9        and saddle stock shall remain open and accessible  
10      for such use. The Secretary may implement a pro-  
11      posed reduction in the use and access of pack and  
12      saddle stock animals on such lands only after com-  
13      plying with the full review process required under  
14      the National Environmental Policy Act of 1969 (42  
15      U.S.C. 4321 et seq.).

16           “(2) RULES OF CONSTRUCTION.—Nothing in  
17      paragraph (1) shall be construed—

18           “(A) to authorize the Secretary to refuse  
19      to issue a permit for a new use of pack and  
20      saddle stock animals, including use by a com-  
21      mercial outfitter or guide, without complying  
22      with applicable resource management plans and  
23      planning processes required under this Act or  
24      any other provision of law;

1               “(B) to limit the authority of the Secretary  
2               to impose a temporary emergency closure of a  
3               trail, route, or area to pack and saddle stock  
4               animals or issue special permits; or

5               “(C) to create a preference for one rec-  
6               reational use for any unit of the National For-  
7               est System, without consideration of the stated  
8               purpose of the unit.”.

9               (e) ISSUANCE OF RULES.—Not later than 120 days  
10      after the date of the enactment of this Act, the Secretary  
11      of the Interior and the Secretary of Agriculture shall issue  
12      final rules to define the meaning of a historical tradition  
13      of use of pack and saddle stock animals on Federal lands  
14      for purposes of the amendments made by this section.

Passed the House of Representatives September 21,  
2004.

Attest:

*Clerk.*