

109TH CONGRESS
1ST SESSION

S. 781

To preserve the use and access of pack and saddle stock animals on land administered by the National Park Service, the Bureau of Land Management, the United States Fish and Wildlife Service, or the Forest Service on which there is a historical tradition of the use of pack and saddle stock animals, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 14, 2005

Mr. CRAPO introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To preserve the use and access of pack and saddle stock animals on land administered by the National Park Service, the Bureau of Land Management, the United States Fish and Wildlife Service, or the Forest Service on which there is a historical tradition of the use of pack and saddle stock animals, and for other purposes.

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 Land Act of 2005”.

1 **SEC. 2. USE AND ACCESS OF PACK AND SADDLE ANIMALS**
2 **ON PUBLIC LAND.**

3 (a) NATIONAL PARK SYSTEM LAND.—Section 12 of
4 Public Law 91–383 (16 U.S.C. 1a–7) is amended by add-
5 ing at the end the following:

6 “(c) USE AND ACCESS OF PACK AND SADDLE ANI-
7 MALS.—

8 “(1) IN GENERAL.—The Secretary of the Inte-
9 rior shall manage National Park System land in a
10 manner that preserves and facilitates the continued
11 use and access of pack and saddle stock animals on
12 National Park System land (including national
13 monuments and other specifically designated areas)
14 on which there is a historical tradition of the use of
15 pack and saddle stock animals.

16 “(2) USE.—

17 “(A) IN GENERAL.—Except as provided in
18 subparagraph (B), the National Park System
19 land described in paragraph (1) shall remain
20 open and accessible to the use of pack and sad-
21 dle stock animals.

22 “(B) LIMITATION.—The Secretary may
23 implement a proposed reduction in the use and
24 access of pack and saddle stock animals on the
25 National Park System land described in para-
26 graph (1) after complying with the full review

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

4 “(3) EFFECT.—Nothing in this subsection—

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

12 “(B) limits the authority of the Secretary
13 of the Interior to—

14 “(i) impose a temporary emergency
15 closure of a trail, route, or area to pack
16 and saddle stock animals; or

17 “(ii) issue special permits; or

18 “(C) creates a preference for 1 recreational
19 use for any unit of the National Park System,
20 without consideration of the stated purpose of
21 the unit.”.

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

1 “(e) USE AND ACCESS OF PACK AND SADDLE ANI-
2 MALS.—

3 “(1) IN GENERAL.—The Secretary shall man-
4 age Bureau of Land Management land in a manner
5 that preserves and facilitates the continued use and
6 access of pack and saddle stock animals on Bureau
7 of Land Management land on which there is a his-
8 torical tradition of the use of pack and saddle stock
9 animals.

10 “(2) USE.—

11 “(A) IN GENERAL.—Except as provided in
12 subparagraph (B), the Bureau of Land Man-
13 agement land described in paragraph (1) shall
14 remain open and accessible to the use of pack
15 and saddle stock animals.

16 “(B) LIMITATION.—The Secretary may
17 implement a proposed reduction in the use and
18 access of pack and saddle stock animals on the
19 Bureau of Land Management land described in
20 paragraph (1) after complying with the full re-
21 view process required under the National Envi-
22 ronmental Policy Act of 1969 (42 U.S.C. 4321
23 et seq.).

24 “(3) EFFECT.—Nothing in this subsection—

1 “(A) authorizes the Secretary to refuse to
 2 issue a permit for a new use of pack and saddle
 3 stock animals, including use by a commercial
 4 outfitter or guide, without complying with appli-
 5 cable resource management plans and planning
 6 processes required under this Act or any other
 7 Federal law;

8 “(B) limits the authority of the Secretary
 9 to—

10 “(i) impose a temporary emergency
 11 closure of a trail, route, or area to pack
 12 and saddle stock animals; or

13 “(ii) issue special permits; or

14 “(C) creates a preference for 1 recreational
 15 use for any area of the Bureau of Land Man-
 16 agement land, without consideration of the stat-
 17 ed purpose of the area.”.

18 (c) NATIONAL WILDLIFE REFUGE SYSTEM LAND.—
 19 Section 4(d) of the National Wildlife Refuge System Ad-
 20 ministration Act of 1966 (16 U.S.C. 668dd(d)) is amend-
 21 ed by adding at the end the following:

22 “(5) USE AND ACCESS OF PACK AND SADDLE
 23 ANIMALS.—

24 “(A) IN GENERAL.—The Secretary shall
 25 manage System land in a manner that pre-

1 serves and facilitates the continued use and ac-
2 cess of pack and saddle stock animals on Sys-
3 tem land on which there is a historical tradition
4 of the use of pack and saddle stock animals.

5 “(B) USE.—

6 “(i) IN GENERAL.—Except as pro-
7 vided in clause (ii), the System land de-
8 scribed in subparagraph (A) shall remain
9 open and accessible to the use of pack and
10 saddle stock animals.

11 “(ii) LIMITATION.—The Secretary
12 may implement a proposed reduction in the
13 use and access of pack and saddle stock
14 animals on the System land described in
15 subparagraph (A) after complying with the
16 full review process required under the Na-
17 tional Environmental Policy Act of 1969
18 (42 U.S.C. 4321 et seq.).

19 “(C) EFFECT.—Nothing in this para-
20 graph—

21 “(i) authorizes the Secretary to refuse
22 to issue a permit for a new use of pack
23 and saddle stock animals, including use by
24 a commercial outfitter or guide, without
25 complying with applicable resource man-

1 agement plans and planning processes re-
 2 quired under this Act or any other Federal
 3 law;

4 “ (ii) limits the authority of the Sec-
 5 retary to—

6 “ (I) impose a temporary emer-
 7 gency closure of a trail, route, or area
 8 to pack and saddle stock animals; or

9 “ (II) issue special permits; or

10 “ (iii) creates a preference for 1 rec-
 11 reational use for any unit of the System,
 12 without consideration of the stated purpose
 13 of the unit.”.

14 (d) NATIONAL FOREST SYSTEM LAND.—The Forest
 15 and Rangeland Renewable Resources Planning Act of
 16 1974 (16 U.S.C. 1600 et seq.) is amended—

17 (1) by redesignating section 16 as section 17;

18 and

19 (2) by inserting after section 15 the following:

20 **“SEC. 16. USE AND ACCESS OF PACK AND SADDLE ANIMALS.**

21 “(a) IN GENERAL.—The Secretary of Agriculture
 22 shall manage National Forest System land in a manner
 23 that preserves and facilitates the continued use and access
 24 of pack and saddle stock animals on National Forest Sys-
 25 tem land (including wilderness areas, national monu-

1 ments, and other specifically designated areas) on which
2 there is a historical tradition of the use of pack and saddle
3 stock animals.

4 “(b) USE.—

5 “(1) IN GENERAL.—Except as provided in para-
6 graph (2), the National Park System land described
7 in subsection (a) shall remain open and accessible to
8 the use of pack and saddle stock animals.

9 “(2) LIMITATION.—The Secretary may imple-
10 ment a proposed reduction in the use and access of
11 pack and saddle stock animals on the National Park
12 System land described in subsection (a) 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 “(c) EFFECT.—Nothing in this section—

17 “(1) authorizes the Secretary of Agriculture to
18 refuse to issue a permit for a new use of pack and
19 saddle stock animals, including use by a commercial
20 outfitter or guide, without complying with applicable
21 resource management plans and planning processes
22 required under this Act or any other Federal law;

23 “(2) limits the authority of the Secretary of Ag-
24 riculture to—

1 “(A) impose a temporary emergency clo-
2 sure of a trail, route, or area to pack and sad-
3 dle stock animals; or

4 “(B) issue special permits; or

5 “(3) creates a preference for 1 recreational use
6 for any unit of the National Forest System, without
7 consideration of the stated purpose of the unit.”.

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

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