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116TH CONGRESS
1st Session
HOUSE OF REPRESENTATIVES
REPORT
116–264

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 823) TO PROVIDE FOR THE DESIGNATION OF CERTAIN WILDERNESS AREAS, RECREATION MANAGEMENT AREAS, AND CONSERVATION AREAS IN THE STATE OF COLORADO, AND FOR OTHER PURPOSES; PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 1373) TO PROTECT, FOR CURRENT AND FUTURE GENERATIONS, THE WATERSHED, ECOSYSTEM, AND CULTURAL HERITAGE OF THE GRAND CANYON REGION IN THE STATE OF ARIZONA, AND FOR OTHER PURPOSES; PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 2181) TO PROVIDE FOR THE WITHDRAWAL AND PROTECTION OF CERTAIN FEDERAL LAND IN THE STATE OF NEW MEXICO; AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM NOVEMBER 1, 2019, THROUGH NOVEMBER 11, 2019

OCTOBER 28, 2019.—Referred to the House Calendar and ordered to be printed

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Ms. SHALALA, from the Committee on Rules,
submitted the following

R E P O R T

[To accompany H. Res. 656]

The Committee on Rules, having had under consideration House Resolution 656, 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. 823, the Colorado Outdoor Recreation and Economy 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 provides that the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill, as modified by the amendment printed in Part A of the Rules Committee report, shall be considered as adopted and the bill, as amended, shall be considered as read. The resolution waives all points of order against provisions in the bill, as amended. The resolution makes in order only those further amendments printed in part B of 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 part B of this report.

The rule provides one motion to recommit with or without instructions. Section 2 of the resolution provides for consideration of H.R. 1373, the Grand Canyon Centennial Protection 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 the amendment in the nature of a substitute. The resolution makes in order only those amendments printed in part C of 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 part C of this report. The resolution provides one motion to recommit with or without instructions. The resolution further provides for consideration of H.R. 2181, the Chaco Cultural Heritage Area Protection 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 provides that the amendment printed in Part D of this report shall be considered as adopted and the bill, as amended, shall be considered as read. The resolution waives all points of order against provisions in the bill, as amended. The resolution makes in order only those amendments printed in part E of 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 amendments printed in Part E of this report. The resolution provides for one motion to recommit with or without instructions. Section 4 of the resolution provides that on any legislative day during the period from November 1, 2019, through November 11, 2019: the Journal of the proceedings of the previous day shall be considered as approved; and the Chair may at any time declare the House adjourned to meet at a date and time to be announced by the Chair in declaring the adjournment. Section 5 of the resolution provides that the Speaker may appoint Members to

perform the duties of the Chair for the duration of the period addressed by section 4 of the resolution as though under clause 8(a) of rule I. Section 6 provides that each day during the period addressed by section 4 of the resolution shall not constitute a calendar or legislative day for the purposes of clause 7(c)(1) of rule XXII (motions to instruct conferees). Section 7 provides that each day during the period addressed by section 4 shall not constitute a legislative day for the purposes of clause 7 of rule XV (Consensus Calendar).

EXPLANATION OF WAIVERS

The waiver of all points of order against consideration of H.R. 823 includes a waiver of the following:

- Clause 12(b) of rule XXI, which prohibits consideration of a bill unless there is a searchable electronic comparative print that shows how the text of the bill as proposed to be considered differs from the text of the bill as reported.

Although the resolution waives all points of order against provisions of H.R. 823, as amended, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

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

Although the resolution waives all points of order against consideration of H.R. 1373, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

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

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

The waiver of all points of order against consideration of H.R. 2181 includes waivers of the following:

- Clause 12(b) of rule XXI, which prohibits consideration of a bill unless there is a searchable electronic comparative print that shows how the text of the bill as proposed to be considered differs from the text of the bill as reported.
- Clause 10 of rule XXI, which prohibits consideration of a measure that has a net effect of increasing the deficit or reducing the surplus over the five- or 10-year period.
- Section 302(f)(1) of the Congressional Budget Act, which prohibits consideration of legislation providing new budget authority in excess of a 302(a) or 302(b) allocation of such authority.

Although the resolution waives all points of order against provisions in H.R. 2181, as amended, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

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

COMMITTEE VOTES

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

Rules Committee record vote No. 184

Motion by Mr. Cole to report an open rule for H.R. 823, H.R. 1373, and H.R. 2181. Defeated: 3–8

Majority Members	Vote	Minority Members	Vote
Mr. Hastings		Mr. Cole	Yea
Mrs. Torres	Nay	Mr. Woodall	Yea
Mr. Perlmutter	Nay	Mr. Burgess	
Mr. Raskin	Nay	Mrs. Lesko	Yea
Ms. Scanlon	Nay		
Mr. Morelle	Nay		
Ms. Shalala	Nay		
Mr. DeSaulnier	Nay		
Mr. McGovern, Chairman	Nay		

Rules Committee record vote No. 185

Motion by Ms. Shalala to report the rule. Adopted: 8–3

Majority Members	Vote	Minority Members	Vote
Mr. Hastings		Mr. Cole	Nay
Mrs. Torres	Yea	Mr. Woodall	Nay
Mr. Perlmutter	Yea	Mr. Burgess	
Mr. Raskin	Yea	Mrs. Lesko	Nay
Ms. Scanlon	Yea		
Mr. Morelle	Yea		
Ms. Shalala	Yea		
Mr. DeSaulnier	Yea		
Mr. McGovern, Chairman	Yea		

SUMMARY OF THE AMENDMENT TO H.R. 823 IN PART A CONSIDERED AS ADOPTED

1. Grijalva (AZ), Neguse (CO): Adds PAYGO language. Designates an interpretive site overlooking Camp Hale as the "Sandy Treat Overlook" to honor the life and legacy of Sanford Morris 'Sandy' Treat Jr., a 10th Mountain Division veteran who fought in Northern Italy during World War II, trained at Camp Hale, and was a strong supporter of designating it a National Historic Landscape.

SUMMARY OF THE AMENDMENTS TO H.R. 823 IN PART B MADE IN ORDER

1. Curtis (UT): States that this bill shall not apply to any lands or waters within the Third Congressional District of Colorado. (10 minutes)

2. Brown (MD): Adds veteran outreach and engagement activities in the management plan for the Camp Hale Historic Landscape. (10 minutes)

3. Tipton (CO): States that regarding the Curecanti National Recreation Area, nothing in this Act constitutes an express or implied Federal reservation of any water or water rights. (10 minutes)

4. Tipton (CO): Ensures grazing permitted at the time of enactment may continue in Thompson Divide. (10 minutes)

5. Tipton (CO): Limits lands being transferred from Forest Service to National Park Service based on management under a current memorandum of understanding. (10 minutes)

6. Crow (CO), Brown (MD): Reaffirms the critical importance of Federal public lands to the Colorado High-Altitude Army National Guard Aviation Training Site ("HAATS"), which the National Guard Bureau has confirmed would not be adversely affected by this bill. (10 minutes)

SUMMARY OF THE AMENDMENTS TO H.R. 1373 IN PART C MADE IN ORDER

1. Lesko (AZ): Specifies the Act shall not become effective until the Secretary of the Interior, in consultation with the Secretary of Labor, finds that the withdrawal will not adversely affect jobs available to Native Americans, other minorities, and women. (10 minutes)

2. Gosar (AZ): Excludes lands in the 4th Congressional District of Arizona from the permanent mineral withdrawal under the Act. (10 minutes)

3. Gosar (AZ): Delays permanent mineral withdrawal under the Act until the Secretary of the Interior completes a mineral survey of proposed withdrawal area (including uranium, rare earth elements, geothermal resources and oil and natural gas) and determines there are no mineral resources, geothermal resources, or critical minerals present other than uranium. (10 minutes)

SUMMARY OF THE AMENDMENT TO H.R. 2181 IN PART D CONSIDERED AS ADOPTED

1. Grijalva (AZ): Adds standard PAYGO language.

SUMMARY OF THE AMENDMENTS TO H.R. 2181 IN PART E MADE IN ORDER

1. Luján (NM): Amends a finding to further clarify that this legislation only impacts federal lands and federal minerals and has no impact on valid existing rights, including the development rights of any Indian Tribe or member of an Indian Tribe. (10 minutes)

2. Gosar (AZ): Allows conveyance or exchange of federal land within the Withdrawal Area to or with State trust land entities, as well as Indian tribes. (10 minutes)

3. Gosar (AZ): Delays permanent mineral withdrawal until Secretary of the Interior determines that the withdrawal won't impact the ability to develop or the economic value of mineral rights held by Native Americans in the withdrawal area or the great Chaco region. (10 minutes)

4. Arrington (TX): Allows operators to continue new oil and gas development in the proposed exclusionary zone if operators have previously been in accordance with the "Historic Preservation Act" as well as existing rules and regulations for archaeological sites and areas of sensitivity in Chaco Canyon Historical Park. (10 minutes)

PART A—TEXT OF AMENDMENT TO H.R. 823 CONSIDERED AS ADOPTED

Page 4, after line 3, insert the following:

SEC. 3. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

Page 33, after line 17, insert the following:

(i) DESIGNATION OF OVERLOOK.—The interpretive site located beside United States Route 24 in the State, at 39.431N 106.323W, is hereby designated as the "Sandy Treat Overlook".

PART B—TEXT OF AMENDMENTS TO H.R. 823 MADE IN ORDER

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

At the end of the bill, insert the following:

TITLE V—APPLICATION

SEC. 501. APPLICATION.

Notwithstanding any other provision of this Act, this Act shall not apply to any lands or waters in the Third Congressional District of Colorado as in existence on the date of enactment of this Act.

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

Page 27, line 2, insert "and veteran outreach and engagement" before "activities".

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

Page 79, line 11, strike "or".
Page 79, line 15, strike the period and insert "; or".
Page 79, after line 15, insert the following:

(F) constitutes an express or implied Federal reservation of any water or water rights with respect to the National Recreation area.

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

Page 53, after line 15, insert the following:

(c) GRAZING.—The grazing of livestock on covered land, if established before the date of enactment of this Act, shall be allowed to continue subject to such reasonable regulations as are considered

to be necessary by the Secretary with jurisdiction over the covered land.

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

Page 82, line 3, strike "2,560" and all that follows through line 8, and insert "915 acres of land identified on the map titled 'Curecanti National Recreation Area U.S. Forest Service/National Park Service Interagency Agreement Exhibit Map, Soap Creek Area' dated June 2017 is transferred to the Secretary, to be administered by the Director of the National Park Service as Part of the National Recreation Area.".

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

Page 37, after line 19, insert the following:

(g) SENSE OF CONGRESS.—It is the sense of Congress that military aviation training on Federal public lands in Colorado, including the training conducted at the High-Altitude Army National Guard Aviation Training Site, is critical to the national security of the United States and the readiness of the Armed Forces.

PART C—TEXT OF AMENDMENTS TO H.R. 1373 MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LESKO OF ARIZONA OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of the bill, insert the following:

SEC. 3. EFFECTIVE DATE.

This Act shall not be effective until the Secretary of the Interior, in consultation with the Secretary of Labor, finds that the withdrawal under section 2 will not adversely affect jobs available to Native Americans, other minorities, and women.

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

At the end of the bill, insert the following:

SEC. 3. APPLICATION.

The withdrawal under section 2 of this Act shall not apply to any Federal land depicted on the Map as "Federal Mineral Estate to be Withdrawn" located in the 4th Congressional District of Arizona, as configured on the date of enactment of this Act.

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

At the end of the bill, insert the following:

SEC. 3. EFFECTIVE DATE.

The withdrawal under section 2 of this Act shall not go into effect until the Secretary of the Interior completes a mineral survey of the area proposed for withdrawal, including uranium, rare earth

elements, geothermal and oil and gas resources, and determines that there are no mineral resources, geothermal resources, or critical minerals present other than uranium.

PART D—TEXT OF AMENDMENT TO H.R. 2181 CONSIDERED AS ADOPTED

At the end of the bill, add the following:

SEC. 7. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

PART E—TEXT OF AMENDMENTS TO H.R. 2181 MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LUJÁN OF NEW MEXICO OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 6, line 25, insert "on Federal lands and of Federal minerals'" after "development".

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

Page 9, beginning on line 8, strike "TO INDIAN TRIBES".

Page 9, line 11, insert "or a State trust land entity" after "Indian Tribe".

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

At the end of the bill, insert the following:

SEC. 7. EFFECTIVE DATE.

This Act shall take effect on the date that the Secretary of the Interior finds that the withdrawal under section 4 shall not impact the ability to develop or the economic value of the mineral rights held by Native Americans in the Chaco Cultural Heritage Withdrawal Area or the greater Chaco region.

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

At the end of the bill, add the following:

SEC. 7. CONTINUING OPERATIONS.

Operators may continue new oil and gas developments in the exclusionary zone proposed by this Act if those operators have previously been in accordance with the provisions of law formerly known as the "National Historic Preservation Act" and have not

violated the existing rules and regulations for the archeological sites and areas of sensitivity in the Chaco Canyon Historical Park.

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