

114TH CONGRESS
1ST SESSION

H. R. 2406

To protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 19, 2015

Mr. WITTMAN (for himself, Mr. WALZ, Mr. DUNCAN of South Carolina, and Mr. GENE GREEN of Texas) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committees on Agriculture, Energy and Commerce, Transportation and Infrastructure, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To protect and enhance opportunities for recreational hunting, fishing, and shooting, 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 “Sportsmen’s Heritage
5 and Recreational Enhancement Act of 2015” or the
6 “SHARE Act”.

7 **SEC. 2. TABLE OF CONTENTS.**

8 The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Report on economic impact.

TITLE I—HUNTING, FISHING AND RECREATIONAL SHOOTING
PROTECTION ACT

- Sec. 101. Short title.
- Sec. 102. Modification of definition.
- Sec. 103. Limitation on authority to regulate ammunition and fishing tackle.

TITLE II—TARGET PRACTICE AND MARKSMANSHIP TRAINING
SUPPORT ACT

- Sec. 201. Short title.
- Sec. 202. Findings; purpose.
- Sec. 203. Definition of public target range.
- Sec. 204. Amendments to Pittman-Robertson Wildlife Restoration Act.
- Sec. 205. Limits on liability.
- Sec. 206. Sense of Congress regarding cooperation.

TITLE III—POLAR BEAR CONSERVATION AND FAIRNESS ACT

- Sec. 301. Short title.
- Sec. 302. Permits for importation of polar bear trophies taken in sport hunts in Canada.

TITLE IV—RECREATIONAL LANDS SELF-DEFENSE ACT

- Sec. 401. Short title.
- Sec. 402. Protecting Americans from violent crime.

TITLE V—WILDLIFE AND HUNTING HERITAGE CONSERVATION
COUNCIL ADVISORY COMMITTEE

- Sec. 501. Wildlife and Hunting Heritage Conservation Council Advisory Committee.

TITLE VI—RECREATIONAL FISHING AND HUNTING HERITAGE
OPPORTUNITIES ACT

- Sec. 601. Short title.
- Sec. 602. Findings.
- Sec. 603. Fishing, hunting, and recreational shooting.
- Sec. 604. Volunteer Hunters; Reports; Closures and Restrictions.

TITLE VII—FARMER AND HUNTER PROTECTION ACT

- Sec. 701. Short title.
- Sec. 702. Baiting of migratory game birds.

TITLE VIII—TRANSPORTING BOWS ACROSS NATIONAL PARK
SERVICE LANDS

- Sec. 801. Bows in the parks.

TITLE IX—FEDERAL LAND TRANSACTION FACILITATION ACT
REAUTHORIZATION (FLTFA)

Sec. 901. Short title.

Sec. 902. Federal Land Transaction Facilitation Act.

TITLE X—AFRICAN ELEPHANT CONSERVATION AND LEGAL
IVORY POSSESSION ACT

Sec. 1001. Short title.

Sec. 1002. References.

Sec. 1003. Limited exemption for certain African elephant ivory.

Sec. 1004. Placement of United States Fish and Wildlife Service law enforcement officer in each African elephant range country.

Sec. 1005. Certification for the purposes of the Fishermen's Protective Act of 1967.

Sec. 1006. Treatment of elephant ivory.

Sec. 1007. Sport-hunted elephant trophies.

Sec. 1008. African Elephant Conservation Act financial assistance priority and reauthorization.

TITLE XI—RESPECT FOR TREATIES AND RIGHTS

Sec. 1101. Respect for Treaties and Rights.

TITLE XII—INTEREST ON OBLIGATIONS HELD IN THE WILDLIFE
RESTORATION FUND

Sec. 1201. Interest on obligations held in the wildlife restoration fund.

TITLE XIII—PERMITS FOR FILM CREWS OF FIVE PEOPLE OR
LESS

Sec. 1301. Annual permit and fee for film crews of 5 persons or fewer.

1 SEC. 3. REPORT ON ECONOMIC IMPACT.

2 Not later than 12 months after the date of the enact-
3 ment of this Act, the Secretary of Interior shall submit
4 a report to Congress that assesses expected economic im-
5 pacts of the Act. Such report shall include—

6 (1) a review of any expected increases in rec-
7 reational hunting, fishing, shooting, and conserva-
8 tion activities;

9 (2) an estimate of any jobs created in each in-
10 dustry expected to support such activities described
11 in paragraph (1), including in the supply, manufac-
12 turing, distribution, and retail sectors;

1 (3) an estimate of wages related to jobs de-
2 scribed in paragraph (2); and

3 (4) an estimate of anticipated new local, State,
4 and Federal revenue related to jobs described in
5 paragraph (2).

6 **TITLE I—HUNTING, FISHING**
7 **AND RECREATIONAL SHOOT-**
8 **ING PROTECTION ACT**

9 **SEC. 101. SHORT TITLE.**

10 This title may be cited as the “Hunting, Fishing, and
11 Recreational Shooting Protection Act”.

12 **SEC. 102. MODIFICATION OF DEFINITION.**

13 Section 3(2)(B) of the Toxic Substances Control Act
14 (15 U.S.C. 2602(2)(B)) is amended—

15 (1) in clause (v), by striking “, and” and insert-
16 ing “, or any component of any such article includ-
17 ing, without limitation, shot, bullets and other pro-
18 jectiles, propellants, and primers,”;

19 (2) in clause (vi) by striking the period at the
20 end and inserting “, and”; and

21 (3) by inserting after clause (vi) the following:

22 “(vii) any sport fishing equipment (as such
23 term is defined in subsection (a) of section 4162 of
24 the Internal Revenue Code of 1986) the sale of
25 which is subject to the tax imposed by section

1 4161(a) of such Code (determined without regard to
2 any exemptions from such tax as provided by section
3 4162 or 4221 or any other provision of such Code),
4 and sport fishing equipment components.”.

5 **SEC. 103. LIMITATION ON AUTHORITY TO REGULATE AM-**
6 **MUNITION AND FISHING TACKLE.**

7 (a) **LIMITATION.**—Except as provided in section
8 20.21 of title 50, Code of Federal Regulations, as in effect
9 on the date of the enactment of this Act, or any substan-
10 tially similar successor regulation thereto, the Secretary
11 of the Interior, the Secretary of Agriculture, and, except
12 as provided by subsection (b), any bureau, service, or of-
13 fice of the Department of the Interior or the Department
14 of Agriculture, may not regulate the use of ammunition
15 cartridges, ammunition components, or fishing tackle
16 based on the lead content thereof if such use is in compli-
17 ance with the law of the State in which the use occurs.

18 (b) **EXCEPTION.**—The limitation in subsection (a)
19 shall not apply to the U.S. Fish and Wildlife Service or
20 the National Park Service.

1 **TITLE II—TARGET PRACTICE**
2 **AND MARKSMANSHIP TRAIN-**
3 **ING SUPPORT ACT**

4 **SEC. 201. SHORT TITLE.**

5 This title may be cited as the “Target Practice and
6 Marksmanship Training Support Act”.

7 **SEC. 202. FINDINGS; PURPOSE.**

8 (a) FINDINGS.—Congress finds that—

9 (1) the use of firearms and archery equipment
10 for target practice and marksmanship training ac-
11 tivities on Federal land is allowed, except to the ex-
12 tent specific portions of that land have been closed
13 to those activities;

14 (2) in recent years preceding the date of enact-
15 ment of this Act, portions of Federal land have been
16 closed to target practice and marksmanship training
17 for many reasons;

18 (3) the availability of public target ranges on
19 non-Federal land has been declining for a variety of
20 reasons, including continued population growth and
21 development near former ranges;

22 (4) providing opportunities for target practice
23 and marksmanship training at public target ranges
24 on Federal and non-Federal land can help—

1 (A) to promote enjoyment of shooting, rec-
2 reational, and hunting activities; and

3 (B) to ensure safe and convenient locations
4 for those activities;

5 (5) Federal law in effect on the date of enact-
6 ment of this Act, including the Pittman-Robertson
7 Wildlife Restoration Act (16 U.S.C. 669 et seq.),
8 provides Federal support for construction and ex-
9 pansion of public target ranges by making available
10 to States amounts that may be used for construc-
11 tion, operation, and maintenance of public target
12 ranges; and

13 (6) it is in the public interest to provide in-
14 creased Federal support to facilitate the construction
15 or expansion of public target ranges.

16 (b) PURPOSE.—The purpose of this title is to facili-
17 tate the construction and expansion of public target
18 ranges, including ranges on Federal land managed by the
19 Forest Service and the Bureau of Land Management.

20 **SEC. 203. DEFINITION OF PUBLIC TARGET RANGE.**

21 In this title, the term “public target range” means
22 a specific location that—

23 (1) is identified by a governmental agency for
24 recreational shooting;

25 (2) is open to the public;

1 (3) may be supervised; and

2 (4) may accommodate archery or rifle, pistol, or
3 shotgun shooting.

4 **SEC. 204. AMENDMENTS TO PITTMAN-ROBERTSON WILD-**
5 **LIFE RESTORATION ACT.**

6 (a) DEFINITIONS.—Section 2 of the Pittman-Robert-
7 son Wildlife Restoration Act (16 U.S.C. 669a) is amend-
8 ed—

9 (1) by redesignating paragraphs (2) through
10 (8) as paragraphs (3) through (9), respectively; and

11 (2) by inserting after paragraph (1) the fol-
12 lowing:

13 “(2) the term ‘public target range’ means a
14 specific location that—

15 “(A) is identified by a governmental agen-
16 cy for recreational shooting;

17 “(B) is open to the public;

18 “(C) may be supervised; and

19 “(D) may accommodate archery or rifle,
20 pistol, or shotgun shooting;”.

21 (b) EXPENDITURES FOR MANAGEMENT OF WILD-
22 LIFE AREAS AND RESOURCES.—Section 8(b) of the Pitt-
23 man-Robertson Wildlife Restoration Act (16 U.S.C.
24 669g(b)) is amended—

1 (1) by striking “(b) Each State” and inserting
2 the following:

3 “(b) EXPENDITURES FOR MANAGEMENT OF WILD-
4 LIFE AREAS AND RESOURCES.—

5 “(1) IN GENERAL.—Except as provided in para-
6 graph (2), each State”;

7 (2) in paragraph (1) (as so designated), by
8 striking “construction, operation,” and inserting
9 “operation”;

10 (3) in the second sentence, by striking “The
11 non-Federal share” and inserting the following:

12 “(3) NON-FEDERAL SHARE.—The non-Federal
13 share”;

14 (4) in the third sentence, by striking “The Sec-
15 retary” and inserting the following:

16 “(4) REGULATIONS.—The Secretary”; and

17 (5) by inserting after paragraph (1) (as des-
18 ignated by paragraph (1) of this subsection) the fol-
19 lowing:

20 “(2) EXCEPTION.—Notwithstanding the limita-
21 tion described in paragraph (1), a State may pay up
22 to 90 percent of the cost of acquiring land for, ex-
23 panding, or constructing a public target range.”.

24 (c) FIREARM AND BOW HUNTER EDUCATION AND
25 SAFETY PROGRAM GRANTS.—Section 10 of the Pittman-

1 Robertson Wildlife Restoration Act (16 U.S.C. 669h–1)
2 is amended—

3 (1) in subsection (a), by adding at the end the
4 following:

5 “(3) ALLOCATION OF ADDITIONAL AMOUNTS.—
6 Of the amount apportioned to a State for any fiscal
7 year under section 4(b), the State may elect to allo-
8 cate not more than 10 percent, to be combined with
9 the amount apportioned to the State under para-
10 graph (1) for that fiscal year, for acquiring land for,
11 expanding, or constructing a public target range.”;

12 (2) by striking subsection (b) and inserting the
13 following:

14 “(b) COST SHARING.—

15 “(1) IN GENERAL.—Except as provided in para-
16 graph (2), the Federal share of the cost of any activ-
17 ity carried out using a grant under this section shall
18 not exceed 75 percent of the total cost of the activ-
19 ity.

20 “(2) PUBLIC TARGET RANGE CONSTRUCTION OR
21 EXPANSION.—The Federal share of the cost of ac-
22 quiring land for, expanding, or constructing a public
23 target range in a State on Federal or non-Federal
24 land pursuant to this section or section 8(b) shall

1 not exceed 90 percent of the cost of the activity.”;

2 and

3 (3) in subsection (c)(1)—

4 (A) by striking “Amounts made” and in-
5 serting the following:

6 “(A) IN GENERAL.—Except as provided in
7 subparagraph (B), amounts made”; and

8 (B) by adding at the end the following:

9 “(B) EXCEPTION.—Amounts provided for
10 acquiring land for, constructing, or expanding a
11 public target range shall remain available for
12 expenditure and obligation during the 5-fiscal-
13 year period beginning on October 1 of the first
14 fiscal year for which the amounts are made
15 available.”.

16 **SEC. 205. LIMITS ON LIABILITY.**

17 (a) DISCRETIONARY FUNCTION.—For purposes of
18 chapter 171 of title 28, United States Code (commonly
19 referred to as the “Federal Tort Claims Act”), any action
20 by an agent or employee of the United States to manage
21 or allow the use of Federal land for purposes of target
22 practice or marksmanship training by a member of the
23 public shall be considered to be the exercise or perform-
24 ance of a discretionary function.

1 (b) CIVIL ACTION OR CLAIMS.—Except to the extent
2 provided in chapter 171 of title 28, United States Code,
3 the United States shall not be subject to any civil action
4 or claim for money damages for any injury to or loss of
5 property, personal injury, or death caused by an activity
6 occurring at a public target range that is—

- 7 (1) funded in whole or in part by the Federal
8 Government pursuant to the Pittman-Robertson
9 Wildlife Restoration Act (16 U.S.C. 669 et seq.); or
10 (2) located on Federal land.

11 **SEC. 206. SENSE OF CONGRESS REGARDING COOPERATION.**

12 It is the sense of Congress that, consistent with appli-
13 cable laws and regulations, the Chief of the Forest Service
14 and the Director of the Bureau of Land Management
15 should cooperate with State and local authorities and
16 other entities to carry out waste removal and other activi-
17 ties on any Federal land used as a public target range
18 to encourage continued use of that land for target practice
19 or marksmanship training.

20 **TITLE III—POLAR BEAR CON-**
21 **SERVATION AND FAIRNESS**
22 **ACT**

23 **SEC. 301. SHORT TITLE.**

24 This title may be cited as the “Polar Bear Conserva-
25 tion and Fairness Act of 2015”.

1 **SEC. 302. PERMITS FOR IMPORTATION OF POLAR BEAR**
2 **TROPHIES TAKEN IN SPORT HUNTS IN CAN-**
3 **ADA.**

4 Section 104(c)(5)(D) of the Marine Mammal Protec-
5 tion Act of 1972 (16 U.S.C. 1374(c)(5)(D)) is amended
6 to read as follows:

7 “(D)(i) The Secretary of the Interior shall, ex-
8 peditiously after the expiration of the applicable 30-
9 day period under subsection (d)(2), issue a permit
10 for the importation of any polar bear part (other
11 than an internal organ) from a polar bear taken in
12 a sport hunt in Canada to any person—

13 “(I) who submits, with the permit applica-
14 tion, proof that the polar bear was legally har-
15 vested by the person before February 18, 1997;
16 or

17 “(II) who has submitted, in support of a
18 permit application submitted before May 15,
19 2008, proof that the polar bear was legally har-
20 vested by the person before May 15, 2008, from
21 a polar bear population from which a sport-
22 hunted trophy could be imported before that
23 date in accordance with section 18.30(i) of title
24 50, Code of Federal Regulations.

25 “(ii) The Secretary shall issue permits under
26 clause (i)(I) without regard to subparagraphs (A)

1 and (C)(ii) of this paragraph, subsection (d)(3), and
2 sections 101 and 102. Sections 101(a)(3)(B) and
3 102(b)(3) shall not apply to the importation of any
4 polar bear part authorized by a permit issued under
5 clause (i)(I). This clause shall not apply to polar
6 bear parts that were imported before June 12, 1997.

7 “(iii) The Secretary shall issue permits under
8 clause (i)(II) without regard to subparagraph (C)(ii)
9 of this paragraph or subsection (d)(3). Sections
10 101(a)(3)(B) and 102(b)(3) shall not apply to the
11 importation of any polar bear part authorized by a
12 permit issued under clause (i)(II). This clause shall
13 not apply to polar bear parts that were imported be-
14 fore the date of enactment of the Polar Bear Con-
15 servation and Fairness Act of 2015.”

16 **TITLE IV—RECREATIONAL** 17 **LANDS SELF-DEFENSE ACT**

18 **SEC. 401. SHORT TITLE.**

19 This title may be cited as the “Recreational Lands
20 Self-Defense Act of 2015”.

21 **SEC. 402. PROTECTING AMERICANS FROM VIOLENT CRIME.**

22 (a) FINDINGS.—Congress finds the following:

23 (1) The Second Amendment to the Constitution
24 provides that “the right of the people to keep and
25 bear Arms, shall not be infringed”.

1 (2) Section 327.13 of title 36, Code of Federal
2 Regulations, provides that, except in special cir-
3 cumstances, “possession of loaded firearms, ammu-
4 nition, loaded projectile firing devices, bows and ar-
5 rows, crossbows, or other weapons is prohibited” at
6 water resources development projects administered
7 by the Secretary of the Army.

8 (3) The regulations described in paragraph (2)
9 prevent individuals complying with Federal and
10 State laws from exercising the second amendment
11 rights of the individuals while at such water re-
12 sources development projects.

13 (4) The Federal laws should make it clear that
14 the second amendment rights of an individual at a
15 water resources development project should not be
16 infringed.

17 (b) PROTECTING THE RIGHT OF INDIVIDUALS TO
18 BEAR ARMS AT WATER RESOURCES DEVELOPMENT
19 PROJECTS.—The Secretary of the Army shall not promul-
20 gate or enforce any regulation that prohibits an individual
21 from possessing a firearm, including an assembled or func-
22 tional firearm, at a water resources development project
23 covered under section 327.0 of title 36, Code of Federal
24 Regulations (as in effect on the date of enactment of this
25 Act), if—

1 (1) the individual is not otherwise prohibited by
2 law from possessing the firearm; and

3 (2) the possession of the firearm is in compli-
4 ance with the law of the State in which the water
5 resources development project is located.

6 **TITLE V—WILDLIFE AND HUNT-**
7 **ING HERITAGE CONSERVA-**
8 **TION COUNCIL ADVISORY**
9 **COMMITTEE**

10 **SEC. 501. WILDLIFE AND HUNTING HERITAGE CONSERVA-**
11 **TION COUNCIL ADVISORY COMMITTEE.**

12 The Fish and Wildlife Coordination Act (16 U.S.C.
13 661 et seq.) is amended by adding at the end the fol-
14 lowing:

15 **“SEC. 10. WILDLIFE AND HUNTING HERITAGE CONSERVA-**
16 **TION COUNCIL ADVISORY COMMITTEE.**

17 “(a) ESTABLISHMENT.—There is hereby established
18 the Wildlife and Hunting Heritage Conservation Council
19 Advisory Committee (in this section referred to as the ‘Ad-
20 visory Committee’) to advise the Secretaries of the Interior
21 and Agriculture on wildlife and habitat conservation,
22 hunting, and recreational shooting.

23 “(b) CONTINUANCE AND ABOLISHMENT OF EXIST-
24 ING WILDLIFE AND HUNTING HERITAGE CONSERVATION
25 COUNCIL.—The Wildlife and Hunting Heritage Conserva-

1 tion Council established pursuant to section 441 of the
2 Revised Statutes (43 U.S.C. 1457), section 2 of the Fish
3 and Wildlife Act of 1956 (16 U.S.C. 742a), and other Acts
4 applicable to specific bureaus of the Department of the
5 Interior—

6 “(1) shall continue until the date of the first
7 meeting of the Wildlife and Hunting Heritage Con-
8 servation Council established by the amendment
9 made by subsection (a); and

10 “(2) is hereby abolished effective on that date.

11 “(c) DUTIES OF THE ADVISORY COMMITTEE.—The
12 Advisory Committee shall advise the Secretaries with re-
13 gard to—

14 “(1) implementation of Executive Order No.
15 13443: Facilitation of Hunting Heritage and Wild-
16 life Conservation, which directs Federal agencies ‘to
17 facilitate the expansion and enhancement of hunting
18 opportunities and the management of game species
19 and their habitat’;

20 “(2) policies or programs to conserve and re-
21 store wetlands, agricultural lands, grasslands, forest,
22 and rangeland habitats;

23 “(3) policies or programs to promote opportuni-
24 ties and access to hunting and shooting sports on
25 Federal lands;

1 “(4) policies or programs to recruit and retain
2 new hunters and shooters;

3 “(5) policies or programs that increase public
4 awareness of the importance of wildlife conservation
5 and the social and economic benefits of recreational
6 hunting and shooting; and

7 “(6) policies or programs that encourage co-
8 ordination among the public, the hunting and shoot-
9 ing sports community, wildlife conservation groups,
10 and States, tribes, and the Federal Government.

11 “(d) MEMBERSHIP.—

12 “(1) APPOINTMENT.—

13 “(A) IN GENERAL.—The Advisory Com-
14 mittee shall consist of no more than 16 discre-
15 tionary members and 7 ex officio members.

16 “(B) EX OFFICIO MEMBERS.—The ex offi-
17 cio members are—

18 “(i) the Director of the United States
19 Fish and Wildlife Service or a designated
20 representative of the Director;

21 “(ii) the Director of the Bureau of
22 Land Management or a designated rep-
23 resentative of the Director;

1 “(iii) the Director of the National
2 Park Service or a designated representa-
3 tive of the Director;

4 “(iv) the Chief of the Forest Service
5 or a designated representative of the Chief;

6 “(v) the Chief of the Natural Re-
7 sources Conservation Service or a des-
8 ignated representative of the Chief;

9 “(vi) the Administrator of the Farm
10 Service Agency or a designated representa-
11 tive of the Administrator; and

12 “(vii) the Executive Director of the
13 Association of Fish and Wildlife Agencies.

14 “(C) DISCRETIONARY MEMBERS.—The dis-
15 cretionary members shall be appointed jointly
16 by the Secretaries from at least one of each of
17 the following:

18 “(i) State fish and wildlife agencies.

19 “(ii) Game bird hunting organiza-
20 tions.

21 “(iii) Wildlife conservation organiza-
22 tions.

23 “(iv) Big game hunting organizations.

24 “(v) Waterfowl hunting organizations.

1 “(vi) The tourism, outfitter, or guid-
2 ing industry.

3 “(vii) The firearms or ammunition
4 manufacturing industry.

5 “(viii) The hunting or shooting equip-
6 ment retail industry.

7 “(ix) Tribal resource management or-
8 ganizations.

9 “(x) The agriculture industry.

10 “(xi) The ranching industry.

11 “(xii) Women’s hunting and fishing
12 advocacy, outreach, or education organiza-
13 tion.

14 “(xiii) Minority hunting and fishing
15 advocacy, outreach, or education organiza-
16 tion.

17 “(xiv) Veterans service organization.

18 “(D) ELIGIBILITY.—Prior to the appoint-
19 ment of the discretionary members, the Secre-
20 taries shall determine that all individuals nomi-
21 nated for appointment to the Advisory Com-
22 mittee, and the organization each individual
23 represents, actively support and promote sus-
24 tainable-use hunting, wildlife conservation, and
25 recreational shooting.

1 “(2) TERMS.—

2 “(A) IN GENERAL.—Except as provided in
3 subparagraph (B), members of the Advisory
4 Committee shall be appointed for a term of 4
5 years. Members shall not be appointed for more
6 than 3 consecutive or nonconsecutive terms.

7 “(B) TERMS OF INITIAL APPOINTEES.—As
8 designated by the Secretary at the time of ap-
9 pointment, of the members first appointed—

10 “(i) 6 members shall be appointed for
11 a term of 4 years;

12 “(ii) 5 members shall be appointed for
13 a term of 3 years; and

14 “(iii) 5 members shall be appointed
15 for a term of 2 years.

16 “(3) PRESERVATION OF PUBLIC ADVISORY STA-
17 TUS.—No individual may be appointed as a discre-
18 tionary member of the Advisory Committee while
19 serving as an officer or employee of the Federal
20 Government.

21 “(4) VACANCY AND REMOVAL.—

22 “(A) IN GENERAL.—Any vacancy on the
23 Advisory Committee shall be filled in the man-
24 ner in which the original appointment was
25 made.

1 “(B) REMOVAL.—Advisory Committee
2 members shall serve at the discretion of the
3 Secretaries and may be removed at any time for
4 good cause.

5 “(5) CONTINUATION OF SERVICE.—Each ap-
6 pointed member may continue to serve after the ex-
7 piration of the term of office to which such member
8 was appointed until a successor has been appointed.

9 “(6) CHAIRPERSON.—The Chairperson of the
10 Advisory Committee shall be appointed for a 3-year
11 term by the Secretaries, jointly, from among the
12 members of the Advisory Committee. An individual
13 may not be appointed as Chairperson for more than
14 2 consecutive or nonconsecutive terms.

15 “(7) PAY AND EXPENSES.—Members of the Ad-
16 visory Committee shall serve without pay for such
17 service, but each member of the Advisory Committee
18 may be reimbursed for travel and lodging incurred
19 through attending meetings of the Advisory Com-
20 mittee approved subgroup meetings in the same
21 amounts and under the same conditions as Federal
22 employees (in accordance with section 5703 of title
23 5, United States Code).

24 “(8) MEETINGS.—

1 “(A) IN GENERAL.—The Advisory Com-
2 mittee shall meet at the call of the Secretaries,
3 the chairperson, or a majority of the members,
4 but not less frequently than twice annually.

5 “(B) OPEN MEETINGS.—Each meeting of
6 the Advisory Committee shall be open to the
7 public.

8 “(C) PRIOR NOTICE OF MEETINGS.—Time-
9 ly notice of each meeting of the Advisory Com-
10 mittee shall be published in the Federal Reg-
11 ister and be submitted to trade publications and
12 publications of general circulation.

13 “(D) SUBGROUPS.—The Advisory Com-
14 mittee may establish such workgroups or sub-
15 groups as it deems necessary for the purpose of
16 compiling information or conducting research.
17 However, such workgroups may not conduct
18 business without the direction of the Advisory
19 Committee and must report in full to the Advi-
20 sory Committee.

21 “(9) QUORUM.—Nine members of the Advisory
22 Committee shall constitute a quorum.

23 “(e) EXPENSES.—The expenses of the Advisory Com-
24 mittee that the Secretaries determine to be reasonable and
25 appropriate shall be paid by the Secretaries.

1 “(f) ADMINISTRATIVE SUPPORT, TECHNICAL SERV-
2 ICES, AND ADVICE.—A designated Federal Officer shall
3 be jointly appointed by the Secretaries to provide to the
4 Advisory Committee the administrative support, technical
5 services, and advice that the Secretaries determine to be
6 reasonable and appropriate.

7 “(g) ANNUAL REPORT.—

8 “(1) REQUIRED.—Not later than September 30
9 of each year, the Advisory Committee shall submit
10 a report to the Secretaries, the Committee on Nat-
11 ural Resources and the Committee on Agriculture of
12 the House of Representatives, and the Committee on
13 Energy and Natural Resources and the Committee
14 on Agriculture, Nutrition, and Forestry of the Sen-
15 ate. If circumstances arise in which the Advisory
16 Committee cannot meet the September 30 deadline
17 in any year, the Secretaries shall advise the Chair-
18 persons of each such Committee of the reasons for
19 such delay and the date on which the submission of
20 the report is anticipated.

21 “(2) CONTENTS.—The report required by para-
22 graph (1) shall describe—

23 “(A) the activities of the Advisory Com-
24 mittee during the preceding year;

1 “(B) the reports and recommendations
2 made by the Advisory Committee to the Secre-
3 taries during the preceding year; and

4 “(C) an accounting of actions taken by the
5 Secretaries as a result of the recommendations.

6 “(h) FEDERAL ADVISORY COMMITTEE ACT.—The
7 Advisory Committee shall be exempt from the Federal Ad-
8 visory Committee Act (5 U.S.C. App.).”.

9 **TITLE VI—RECREATIONAL FISH-**
10 **ING AND HUNTING HERITAGE**
11 **OPPORTUNITIES ACT**

12 **SEC. 601. SHORT TITLE.**

13 This title may be cited as the “Recreational Fishing
14 and Hunting Heritage and Opportunities Act”.

15 **SEC. 602. FINDINGS.**

16 Congress finds that—

17 (1) recreational fishing and hunting are impor-
18 tant and traditional activities in which millions of
19 Americans participate;

20 (2) recreational anglers and hunters have been
21 and continue to be among the foremost supporters
22 of sound fish and wildlife management and conserva-
23 tion in the United States;

24 (3) recreational fishing and hunting are envi-
25 ronmentally acceptable and beneficial activities that

1 occur and can be provided on Federal lands and
2 waters without adverse effects on other uses or
3 users;

4 (4) recreational anglers, hunters, and sporting
5 organizations provide direct assistance to fish and
6 wildlife managers and enforcement officers of the
7 Federal Government as well as State and local gov-
8 ernments by investing volunteer time and effort to
9 fish and wildlife conservation;

10 (5) recreational anglers, hunters, and the asso-
11 ciated industries have generated billions of dollars of
12 critical funding for fish and wildlife conservation, re-
13 search, and management by providing revenues from
14 purchases of fishing and hunting licenses, permits,
15 and stamps, as well as excise taxes on fishing, hunt-
16 ing, and recreational shooting equipment that have
17 generated billions of dollars of critical funding for
18 fish and wildlife conservation, research, and manage-
19 ment;

20 (6) recreational shooting is also an important
21 and traditional activity in which millions of Ameri-
22 cans participate;

23 (7) safe recreational shooting is a valid use of
24 Federal lands, including the establishment of safe
25 and convenient recreational shooting ranges on such

1 lands, and participation in recreational shooting
2 helps recruit and retain hunters and contributes to
3 wildlife conservation;

4 (8) opportunities to recreationally fish, hunt,
5 and shoot are declining, which depresses participa-
6 tion in these traditional activities, and depressed
7 participation adversely impacts fish and wildlife con-
8 servation and funding for important conservation ef-
9 forts; and

10 (9) the public interest would be served, and our
11 citizens' fish and wildlife resources benefitted, by ac-
12 tion to ensure that opportunities are facilitated to
13 engage in fishing and hunting on Federal land as
14 recognized by Executive Order No. 12962, relating
15 to recreational fisheries, and Executive Order No.
16 13443, relating to facilitation of hunting heritage
17 and wildlife conservation.

18 **SEC. 603. FISHING, HUNTING, AND RECREATIONAL SHOOT-**

19 **ING.**

20 (a) DEFINITIONS.—In this section:

21 (1) FEDERAL LAND.—The term “Federal land”
22 means any land or water that is owned by the
23 United States and under the administrative jurisdic-
24 tion of the Bureau of Land Management or the For-
25 est Service.

1 (2) FEDERAL LAND MANAGEMENT OFFI-
2 CIALS.—The term “Federal land management offi-
3 cials” means—

4 (A) the Secretary of the Interior and Di-
5 rector of the Bureau of Land Management re-
6 garding Bureau of Land Management lands
7 and interests in lands under the administrative
8 jurisdiction of the Bureau of Land Manage-
9 ment; and

10 (B) the Secretary of Agriculture and Chief
11 of the Forest Service regarding National Forest
12 System lands.

13 (3) HUNTING.—

14 (A) IN GENERAL.—Except as provided in
15 subparagraph (B), the term “hunting” means
16 use of a firearm, bow, or other authorized
17 means in the lawful—

18 (i) pursuit, shooting, capture, collec-
19 tion, trapping, or killing of wildlife;

20 (ii) attempt to pursue, shoot, capture,
21 collect, trap, or kill wildlife; or

22 (iii) the training of hunting dogs, in-
23 cluding field trials.

24 (B) EXCLUSION.—The term “hunting”
25 does not include the use of skilled volunteers to

1 cull excess animals (as defined by other Federal
2 law).

3 (4) RECREATIONAL FISHING.—The term “rec-
4 reational fishing” means the lawful—

5 (A) pursuit, capture, collection, or killing
6 of fish; or

7 (B) attempt to capture, collect, or kill fish.

8 (5) RECREATIONAL SHOOTING.—The term
9 “recreational shooting” means any form of sport,
10 training, competition, or pastime, whether formal or
11 informal, that involves the discharge of a rifle, hand-
12 gun, or shotgun, or the use of a bow and arrow.

13 (b) IN GENERAL.—Subject to valid existing rights
14 and subsection (e), and cooperation with the respective
15 State fish and wildlife agency, Federal land management
16 officials shall exercise authority under existing law, includ-
17 ing provisions regarding land use planning, to facilitate
18 use of and access to Federal lands, including National
19 Monuments, Wilderness Areas, Wilderness Study Areas,
20 and lands administratively classified as wilderness eligible
21 or suitable and primitive or semi-primitive areas, for fish-
22 ing, hunting, and recreational shooting, except as limited
23 by—

1 (1) statutory authority that authorizes action or
2 withholding action for reasons of national security,
3 public safety, or resource conservation;

4 (2) any other Federal statute that specifically
5 precludes fishing, hunting, or recreational shooting
6 on specific Federal lands, waters, or units thereof;
7 and

8 (3) discretionary limitations on fishing, hunt-
9 ing, and recreational shooting determined to be nec-
10 essary and reasonable as supported by the best sci-
11 entific evidence and advanced through a transparent
12 public process.

13 (c) MANAGEMENT.—Consistent with subsection (a),
14 Federal land management officials shall exercise their land
15 management discretion—

16 (1) in a manner that supports and facilitates
17 fishing, hunting, and recreational shooting opportu-
18 nities;

19 (2) to the extent authorized under applicable
20 State law; and

21 (3) in accordance with applicable Federal law.

22 (d) PLANNING.—

23 (1) EVALUATION OF EFFECTS ON OPPORTUNI-
24 TIES TO ENGAGE IN FISHING, HUNTING, OR REC-
25 REATIONAL SHOOTING.—Planning documents that

1 apply to Federal lands, including land resources
2 management plans, resource management plans,
3 travel management plans, and general management
4 plans shall include a specific evaluation of the effects
5 of such plans on opportunities to engage in fishing,
6 hunting, or recreational shooting.

7 (2) STRATEGIC GROWTH POLICY FOR THE NA-
8 TIONAL WILDLIFE REFUGE SYSTEM.—Section
9 4(a)(3) of the National Wildlife Refuge System Ad-
10 ministration Act of 1966 (16 U.S.C. 668dd(a)(3)) is
11 amended—

12 (A) by redesignating subparagraphs (C)
13 and (D) and subparagraphs (D) and (E), re-
14 spectively; and

15 (B) by inserting after subparagraph (B),
16 the following:

17 “(C) the Secretary shall integrate wildlife-
18 dependent recreational uses in accordance with
19 their status as priority general public uses into
20 proposed or existing regulations, policies, cri-
21 teria, plans, or other activities to alter or
22 amend the manner in which individual refuges
23 or the National Wildlife Refuge System (Sys-
24 tem) are managed, including, but not limited to,

1 any activities which target or prioritize criteria
2 for long and short term System acquisitions;”.

3 (3) NO MAJOR FEDERAL ACTION.—No action
4 taken under this Act, or under section 4 of the Na-
5 tional Wildlife Refuge System Administration Act of
6 1966 (16 U.S.C. 668dd), either individually or cu-
7 mulatively with other actions involving Federal lands
8 or lands managed by the United States Fish and
9 Wildlife Service, shall be considered to be a major
10 Federal action significantly affecting the quality of
11 the human environment, and no additional identi-
12 fication, analysis, or consideration of environmental
13 effects, including cumulative effects, is necessary or
14 required.

15 (4) OTHER ACTIVITY NOT CONSIDERED.—Fed-
16 eral land management officials are not required to
17 consider the existence or availability of fishing, hunt-
18 ing, or recreational shooting opportunities on adja-
19 cent or nearby public or private lands in the plan-
20 ning for or determination of which Federal lands are
21 open for these activities or in the setting of levels of
22 use for these activities on Federal lands, unless the
23 combination or coordination of such opportunities
24 would enhance the fishing, hunting, or recreational
25 shooting opportunities available to the public.

1 (e) FEDERAL LANDS.—

2 (1) LANDS OPEN.—Lands under the jurisdic-
3 tion of the Bureau of Land Management and the
4 Forest Service, including Wilderness Areas, Wilder-
5 ness Study Areas, lands designated as wilderness or
6 administratively classified as wilderness eligible or
7 suitable and primitive or semi-primitive areas and
8 National Monuments, but excluding lands on the
9 Outer Continental Shelf, shall be open to fishing,
10 hunting, and recreational shooting unless the man-
11 aging Federal agency acts to close lands to such ac-
12 tivity. Lands may be subject to closures or restric-
13 tions if determined by the head of the agency to be
14 necessary and reasonable and supported by facts
15 and evidence, for purposes including resource con-
16 servation, public safety, energy or mineral produc-
17 tion, energy generation or transmission infrastruc-
18 ture, water supply facilities, protection of other per-
19 mittees, protection of private property rights or in-
20 terest, national security, or compliance with other
21 law.

22 (2) RECREATIONAL SHOOTING RANGES.—

23 (A) IN GENERAL.—The head of each Fed-
24 eral agency shall use his or her authorities in

1 a manner consistent with this Act and other ap-
2 plicable law, to—

3 (i) lease or permit use of lands under
4 the jurisdiction of the agency for rec-
5 reational shooting ranges; and

6 (ii) designate specific lands under the
7 jurisdiction of the agency for recreational
8 shooting activities.

9 (B) LIMITATION ON LIABILITY.—Any des-
10 ignation under subparagraph (A)(ii) shall not
11 subject the United States to any civil action or
12 claim for monetary damages for injury or loss
13 of property or personal injury or death caused
14 by any activity occurring at or on such des-
15 ignated lands.

16 (f) NECESSITY IN WILDERNESS AREAS AND “WITH-
17 IN AND SUPPLEMENTAL TO” WILDERNESS PURPOSES.—

18 (1) MINIMUM REQUIREMENTS FOR ADMINIS-
19 TRATION.—The provision of opportunities for fish-
20 ing, hunting, and recreational shooting, and the con-
21 servation of fish and wildlife to provide sustainable
22 use recreational opportunities on designated Federal
23 wilderness areas shall constitute measures necessary
24 to meet the minimum requirements for the adminis-
25 tration of the wilderness area, provided that this de-

1 termination shall not authorize or facilitate com-
2 modity development, use, or extraction, motorized
3 recreational access or use that is not otherwise al-
4 lowed under the Wilderness Act (16 U.S.C. 1131 et
5 seq.), or permanent road construction or mainte-
6 nance within designated wilderness areas.

7 (2) APPLICATION OF WILDERNESS ACT.—Provi-
8 sions of the Wilderness Act (16 U.S.C. 1131 et
9 seq.), stipulating that wilderness purposes are “with-
10 in and supplemental to” the purposes of the under-
11 lying Federal land unit are reaffirmed. When seek-
12 ing to carry out fish and wildlife conservation pro-
13 grams and projects or provide fish and wildlife de-
14 pendent recreation opportunities on designated wil-
15 derness areas, each Federal land management offi-
16 cial shall implement these supplemental purposes so
17 as to facilitate, enhance, or both, but not to impede
18 the underlying Federal land purposes when seeking
19 to carry out fish and wildlife conservation programs
20 and projects or provide fish and wildlife dependent
21 recreation opportunities in designated wilderness
22 areas, provided that such implementation shall not
23 authorize or facilitate commodity development, use
24 or extraction, or permanent road construction or
25 maintenance within designated wilderness areas.

1 (g) NO PRIORITY.—Nothing in this section requires
2 a Federal land management official to give preference to
3 fishing, hunting, or recreational shooting over other uses
4 of Federal land or over land or water management prior-
5 ities established by Federal law.

6 (h) CONSULTATION WITH COUNCILS.—In fulfilling
7 the duties under this section, Federal land management
8 officials shall consult with respective advisory councils as
9 established in Executive Order Nos. 12962 and 13443.

10 (i) AUTHORITY OF THE STATES.—Nothing in this
11 section shall be construed as interfering with, diminishing,
12 or conflicting with the authority, jurisdiction, or responsi-
13 bility of any State to exercise primary management, con-
14 trol, or regulation of fish and wildlife under State law (in-
15 cluding regulations) on land or water within the State, in-
16 cluding on Federal land.

17 (j) FEDERAL LICENSES.—Nothing in this section
18 shall be construed to authorize a Federal land manage-
19 ment official to require a license, fee, or permit to fish,
20 hunt, or trap on land or water in a State, including on
21 Federal land in the States, except that this subsection
22 shall not affect the Migratory Bird Stamp requirement set
23 forth in the Migratory Bird Hunting and Conservation
24 Stamp Act (16 U.S.C. 718 et seq.).

1 **SEC. 604. VOLUNTEER HUNTERS; REPORTS; CLOSURES AND**
2 **RESTRICTIONS.**

3 (a) DEFINITIONS.—For the purposes of this section:

4 (1) PUBLIC LAND.—The term “public land”
5 means—

6 (A) units of the National Park System;

7 (B) National Forest System lands; and

8 (C) land and interests in land owned by
9 the United States and under the administrative
10 jurisdiction of—

11 (i) the Fish and Wildlife Service; or

12 (ii) the Bureau of Land Management.

13 (2) SECRETARY.—The term “Secretary”
14 means—

15 (A) the Secretary of the Interior and in-
16 cludes the Director of the National Park Serv-
17 ice, with regard to units of the National Park
18 System;

19 (B) the Secretary of the Interior and in-
20 cludes the Director of the Fish and Wildlife
21 Service, with regard to Fish and Wildlife Serv-
22 ice lands and waters;

23 (C) the Secretary of the Interior and in-
24 cludes the Director of the Bureau of Land
25 Management, with regard to Bureau of Land
26 Management lands and waters; and

1 (D) the Secretary of Agriculture and in-
2 cludes the Chief of the Forest Service, with re-
3 gard to National Forest System lands.

4 (3) VOLUNTEER FROM THE HUNTING COMMU-
5 NITY.—The term “volunteer from the hunting com-
6 munity” means a volunteer who holds a valid hunt-
7 ing license issued by a State.

8 (b) VOLUNTEER HUNTERS.—When planning wildlife
9 management involving reducing the size of a wildlife popu-
10 lation on public land, the Secretary shall consider the use
11 of and may use volunteers from the hunting community
12 as agents to assist in carrying out wildlife management
13 on public land. The Secretary shall not reject the use of
14 volunteers from the hunting community as agents without
15 the concurrence of the appropriate State wildlife manage-
16 ment authorities.

17 (c) REPORT.—Beginning on the second October 1
18 after the date of the enactment of this Act and biennially
19 on October 1 thereafter, the Secretary shall submit to the
20 Committee on Natural Resources of the House of Rep-
21 resentatives and the Committee on Energy and Natural
22 Resources of the Senate a report that describes—

23 (1) any public land administered by the Sec-
24 retary that was closed to fishing, hunting, and rec-

1 recreational shooting at any time during the preceding
2 year; and

3 (2) the reason for the closure.

4 (d) CLOSURES OR SIGNIFICANT RESTRICTIONS.—

5 (1) IN GENERAL.—Other than closures estab-
6 lished or prescribed by land planning actions re-
7 ferred to in section 604(e) or emergency closures de-
8 scribed in paragraph (2), a permanent or temporary
9 withdrawal, change of classification, or change of
10 management status of public land that effectively
11 closes or significantly restricts any acreage of public
12 land to access or use for fishing, hunting, rec-
13 reational shooting, or activities related to fishing,
14 hunting, or recreational shooting, or a combination
15 of those activities, shall take effect only if, before the
16 date of withdrawal or change, the Secretary—

17 (A) publishes appropriate notice of the
18 withdrawal or change, respectively;

19 (B) demonstrates that coordination has oc-
20 curred with a State fish and wildlife agency;
21 and

22 (C) submits to the Committee on Natural
23 Resources of the House of Representatives and
24 the Committee on Energy and Natural Re-

1 sources of the Senate written notice of the with-
2 drawal or change, respectively.

3 (2) EMERGENCY CLOSURES.—Nothing in this
4 Act prohibits the Secretary from establishing or im-
5 plementing emergency closures or restrictions of the
6 smallest practicable area to provide for public safety,
7 resource conservation, national security, or other
8 purposes authorized by law. Such an emergency clo-
9 sure shall terminate after a reasonable period of
10 time unless converted to a permanent closure con-
11 sistent with this Act.

12 **TITLE VII—FARMER AND** 13 **HUNTER PROTECTION ACT**

14 **SEC. 701. SHORT TITLE.**

15 This title may be cited as the “Hunter and Farmer
16 Protection Act”.

17 **SEC. 702. BAITING OF MIGRATORY GAME BIRDS.**

18 Section 3 of the Migratory Bird Treaty Act (16
19 U.S.C. 704) is amended by striking subsection (b) and in-
20 serting the following:

21 “(b) PROHIBITION OF BAITING.—

22 “(1) DEFINITIONS.—In this subsection:

23 “(A) BAITED AREA.—

24 “(i) IN GENERAL.—The term ‘baited
25 area’ means—

1 “(I) any area on which salt,
2 grain, or other feed has been placed,
3 exposed, deposited, distributed, or
4 scattered, if the salt, grain, or feed
5 could lure or attract migratory game
6 birds; and

7 “(II) in the case of waterfowl,
8 cranes (family Gruidae), and coots
9 (family Rallidae), a standing, unhar-
10 vested crop that has been manipulated
11 through activities such as mowing,
12 discing, or rolling, unless the activities
13 are normal agricultural practices.

14 “(ii) EXCLUSIONS.—An area shall not
15 be considered to be a ‘baited area’ if the
16 area—

17 “(I) has been treated with a nor-
18 mal agricultural practice;

19 “(II) has standing crops that
20 have not been manipulated; or

21 “(III) has standing crops that
22 have been or are flooded.

23 “(B) BAITING.—The term ‘baiting’ means
24 the direct or indirect placing, exposing, depos-
25 iting, distributing, or scattering of salt, grain,

1 or other feed that could lure or attract migra-
2 tory game birds to, on, or over any areas on
3 which a hunter is attempting to take migratory
4 game birds.

5 “(C) MIGRATORY GAME BIRD.—The term
6 ‘migratory game bird’ means migratory bird
7 species—

8 “(i) that are within the taxonomic
9 families of Anatidae, Columbidae, Gruidae,
10 Rallidae, and Scolopacidae; and

11 “(ii) for which open seasons are pre-
12 scribed by the Secretary of the Interior.

13 “(D) NORMAL AGRICULTURAL PRAC-
14 TICE.—

15 “(i) IN GENERAL.—The term ‘normal
16 agricultural practice’ means any practice in
17 1 annual growing season that—

18 “(I) is carried out in order to
19 produce a marketable crop, including
20 planting, harvest, postharvest, or soil
21 conservation practices; and

22 “(II) is recommended for the
23 successful harvest of a given crop by
24 the applicable State office of the Co-
25 operative Extension System of the De-

1 department of Agriculture, in consulta-
2 tion with, and if requested, the con-
3 currence of, the head of the applicable
4 State department of fish and wildlife.

5 “(ii) INCLUSIONS.—

6 “(I) IN GENERAL.—Subject to
7 subclause (II), the term ‘normal agri-
8 cultural practice’ includes the destruc-
9 tion of a crop in accordance with
10 practices required by the Federal
11 Crop Insurance Corporation for agri-
12 cultural producers to obtain crop in-
13 surance under the Federal Crop In-
14 surance Act (7 U.S.C. 1501 et seq.)
15 on land on which a crop during the
16 current or immediately preceding crop
17 year was not harvestable due to a nat-
18 ural disaster (including any hurricane,
19 storm, tornado, flood, high water,
20 wind-driven water, tidal wave, tsu-
21 nami, earthquake, volcanic eruption,
22 landslide, mudslide, drought, fire,
23 snowstorm, or other catastrophe that
24 is declared a major disaster by the
25 President in accordance with section

1 401 of the Robert T. Stafford Dis-
2 aster Relief and Emergency Assist-
3 ance Act (42 U.S.C. 5170)).

4 “(II) LIMITATIONS.—The term
5 ‘normal agricultural practice’ only in-
6 cludes a crop described in subclause
7 (I) that has been destroyed or manip-
8 ulated through activities that include
9 (but are not limited to) mowing,
10 discing, or rolling if the Federal Crop
11 Insurance Corporation certifies that
12 flooding was not an acceptable method
13 of destruction to obtain crop insur-
14 ance under the Federal Crop Insur-
15 ance Act (7 U.S.C. 1501 et seq.).

16 “(E) WATERFOWL.—The term ‘waterfowl’
17 means native species of the family Anatidae.

18 “(2) PROHIBITION.—It shall be unlawful for
19 any person—

20 “(A) to take any migratory game bird by
21 baiting or on or over any baited area, if the
22 person knows or reasonably should know that
23 the area is a baited area; or

24 “(B) to place or direct the placement of
25 bait on or adjacent to an area for the purpose

1 of causing, inducing, or allowing any person to
2 take or attempt to take any migratory game
3 bird by baiting or on or over the baited area.

4 “(3) REGULATIONS.—The Secretary of the In-
5 terior may promulgate regulations to implement this
6 subsection.

7 “(4) REPORTS.—Annually, the Secretary of Ag-
8 riculture shall submit to the Secretary of the Inte-
9 rior a report that describes any changes to normal
10 agricultural practices across the range of crops
11 grown by agricultural producers in each region of
12 the United States in which the recommendations are
13 provided to agricultural producers.”.

14 **TITLE VIII—TRANSPORTING**
15 **BOWS ACROSS NATIONAL**
16 **PARK SERVICE LANDS**

17 **SEC. 801. BOWS IN THE PARKS.**

18 (a) DEFINITIONS.—In this section:

19 (1) DIRECTOR.—The term “Director” means
20 the Director of the National Park Service.

21 (2) NOT READY FOR IMMEDIATE USE.—The
22 term “not ready for immediate use” means—

23 (A) a bow or crossbow, the arrows of which
24 are secured or stowed in a quiver or other
25 arrow transport case; and

1 (B) with respect to a crossbow, uncocked.

2 (b) VEHICULAR TRANSPORTATION AUTHORIZED.—

3 The Director shall not promulgate or enforce any regula-
4 tion that prohibits an individual from transporting bows
5 and crossbows that are not ready for immediate use across
6 any unit of the National Park System in the vehicle of
7 the individual if—

8 (1) the individual is not otherwise prohibited by
9 law from possessing the bows and crossbows;

10 (2) the bows or crossbows that are not ready
11 for immediate use remain inside the vehicle of the
12 individual throughout the period during which the
13 bows or crossbows are transported across National
14 Park System land; and

15 (3) the possession of the bows and crossbows is
16 in compliance with the law of the State in which the
17 unit of the National Park System is located.

18 (c) HUNTER ACCESS CORRIDORS.—

19 (1) IN GENERAL.—The Director is authorized
20 to establish and publish (in accordance with section
21 1.5 of title 36, Code of Federal Regulations (or a
22 successor regulation)) on a publicly available map
23 hunter access corridors for use in accordance with
24 subsection (c).

1 (2) HUNTING SEASON.—The hunter access cor-
2 ridors shall be open for use during hunting seasons.

3 (3) EXCEPTION.—The Director may establish
4 limited periods during which access through the
5 hunter access corridors is closed for reasons of pub-
6 lic safety, administration, or compliance with appli-
7 cable law.

8 (4) IDENTIFICATION OF CORRIDORS.—The Di-
9 rector shall—

10 (A) post signs during hunting seasons that
11 identify each hunter access corridor;

12 (B) make information regarding hunter ac-
13 cess corridors available on the individual
14 website of the applicable unit of the National
15 Park System; and

16 (C) provide information regarding any
17 processes established by the Director for trans-
18 porting legally taken game through individual
19 hunter access corridors.

20 (5) REGISTRATION; TRANSPORTATION OF
21 GAME.—The Director may—

22 (A) provide registration boxes to be located
23 at the trailhead of each hunter access corridor
24 for self-registration in accordance with sub-
25 section (c)(2)(B);

1 (B) provide a process for online self-reg-
2 istration in accordance with subsection
3 (c)(2)(B); and

4 (C) allow non-motorized conveyances to
5 transport legally taken game through the cor-
6 ridors established under subsection (b) includ-
7 ing, but not limited to, game carts and sleds.

8 (6) CONSULTATION WITH STATES.—The Direc-
9 tor shall consult with each applicable State wildlife
10 agency to identify appropriate hunter access cor-
11 ridors.

12 **TITLE IX—FEDERAL LAND**
13 **TRANSACTION FACILITATION**
14 **ACT REAUTHORIZATION**
15 **(FLTFA)**

16 **SEC. 901. SHORT TITLE.**

17 This title may be cited as the “Federal Land Trans-
18 action Facilitation Act Reauthorization of 2015”.

19 **SEC. 902. FEDERAL LAND TRANSACTION FACILITATION**
20 **ACT.**

21 The Federal Land Transaction Facilitation Act is
22 amended—

23 (1) in section 203(1) (43 U.S.C. 2302(1)), by
24 striking “cultural, or” and inserting “cultural, rec-
25 reational access and use, or other”;

1 (2) in section 203(2) in the matter preceding
2 subparagraph (A), by striking “on the date of enact-
3 ment of this Act was” and inserting “is”;

4 (3) in section 205 (43 U.S.C. 2304)—

5 (A) in subsection (a), by striking “section
6 206” and all that follows through the period
7 and inserting the following:

8 “section 206—

9 “(1) to complete appraisals and satisfy other
10 legal requirements for the sale or exchange of public
11 land identified for disposal under approved land use
12 plans under section 202 of the Federal Land Policy
13 and Management Act of 1976 (43 U.S.C. 1712);

14 “(2) not later than 180 days after the date of
15 the enactment of the Federal Land Transaction Fa-
16 cilitation Act Reauthorization of 2015, to establish
17 and make available to the public, on the website of
18 the Department of the Interior, a database con-
19 taining a comprehensive list of all the land referred
20 to in paragraph (1); and

21 “(3) to maintain the database referred to in
22 paragraph (2).”; and

23 (B) in subsection (d), by striking “11” and
24 inserting “22”;

1 (4) in section 206(c)(2) (43 U.S.C.
2 2305(c)(2))—

3 (A) by redesignating subparagraphs (A)
4 through (D) as subparagraphs (B) through (E),
5 respectively;

6 (B) by inserting before subparagraph (B),
7 as so redesignated, the following:

8 “(A) DEFERRED MAINTENANCE ACTIVI-
9 TIES.—Except as authorized under subpara-
10 graph (D), funds shall be used to purchase
11 lands or interests therein for the performance
12 of deferred maintenance on administrative sites
13 or other deferred maintenance activities.”;

14 (C) in subparagraph (B), as so redesign-
15 ated—

16 (i) by striking “subparagraph (C)”
17 and inserting “subparagraph (D)”;

18 (ii) in clause (i), by striking “and”;

19 (iii) in clause (ii), by striking the pe-
20 riod and inserting “; and”; and

21 (iv) by adding at the end the fol-
22 lowing:

23 “(iii) opportunities for hunting, rec-
24 reational fishing, recreational shooting,
25 and other recreational activities.”;

1 (D) in subparagraph (E), as so redesignated,
2 nated, by striking “(C)” and inserting “(D)”;
3 and

4 (E) by adding at the end the following:

5 “(F) Any funds made available under sub-
6 paragraph (E) that are not obligated or ex-
7 pended by the end of the fourth full fiscal year
8 after the date of the sale or exchange of land
9 that generated the funds may be expended in
10 any State.”;

11 (5) in section 206(c)(3) (43 U.S.C.
12 2305(c)(3))—

13 (A) by inserting after subparagraph (A)
14 the following:

15 “(B) the extent to which the acquisition of
16 the land or interest therein will increase the
17 public availability of resources for, and facilitate
18 public access to, hunting, fishing, and other rec-
19 reational activities;” and

20 (B) by redesignating subparagraphs (B)
21 and (C) as subparagraphs (C) and (D);

22 (6) in section 206(f) (43 U.S.C. 2305(f)), by
23 amending paragraph (2) to read as follows:

24 “(2) any remaining balance in the account shall
25 be deposited in the Treasury and used for deficit re-

1 duction, except that in the case of a fiscal year for
2 which there is no Federal budget deficit, such
3 amounts shall be used to reduce the Federal debt (in
4 such manner as the Secretary of the Treasury con-
5 siders appropriate).”; and

6 (7) in section 207(b) (43 U.S.C. 2306(b))—

7 (A) in paragraph (1)—

8 (i) by striking “96–568” and insert-
9 ing “96–586”; and

10 (ii) by striking “; or” and inserting a
11 semicolon;

12 (B) in paragraph (2)—

13 (i) by inserting “Public Law 105–
14 263;” before “112 Stat.”; and

15 (ii) by striking the period at the end
16 and inserting a semicolon; and

17 (C) by adding at the end the following:

18 “(3) the White Pine County Conservation,
19 Recreation, and Development Act of 2006 (Public
20 Law 109–432; 120 Stat. 3028);

21 “(4) the Lincoln County Conservation, Recre-
22 ation, and Development Act of 2004 (Public Law
23 108–424; 118 Stat. 2403);

1 “(5) subtitle F of title I of the Omnibus Public
2 Land Management Act of 2009 (16 U.S.C. 1132
3 note; Public Law 111–11);

4 “(6) subtitle O of title I of the Omnibus Public
5 Land Management Act of 2009 (16 U.S.C. 460www
6 note, 1132 note; Public Law 111–11);

7 “(7) section 2601 of the Omnibus Public Land
8 Management Act of 2009 (Public Law 111–11; 123
9 Stat. 1108); or

10 “(8) section 2606 of the Omnibus Public Land
11 Management Act of 2009 (Public Law 111–11; 123
12 Stat. 1121).”.

13 **TITLE X—AFRICAN ELEPHANT**
14 **CONSERVATION AND LEGAL**
15 **IVORY POSSESSION ACT**

16 **SEC. 1001. SHORT TITLE.**

17 This title may be cited as the “African Elephant Con-
18 servation and Legal Ivory Possession Act of 2015”.

19 **SEC. 1002. REFERENCES.**

20 Except as otherwise specifically provided, whenever in
21 this title an amendment or repeal is expressed in terms
22 of an amendment to, or repeal of, a provision, the ref-
23 erence shall be considered to be made to a provision of
24 the African Elephant Conservation Act (16 U.S.C. 4201
25 et seq.).

1 **SEC. 1003. LIMITED EXEMPTION FOR CERTAIN AFRICAN**
2 **ELEPHANT IVORY.**

3 Section 2203 (16 U.S.C. 4223) is amended—

4 (1) by inserting “(a) IN GENERAL.—” before
5 the first sentence;

6 (2) by inserting “and subsection (b) of this sec-
7 tion” after “2202(e)”; and

8 (3) by adding at the end the following:

9 “(b) EXEMPTION.—Nothing in this Act or subsection
10 (a) or (d) of section 9 of the Endangered Species Act of
11 1973 (16 U.S.C. 1538) shall be construed to prohibit im-
12 portation or exportation, or to require permission of the
13 Secretary for importation or exportation, of—

14 “(1) any raw ivory or worked ivory—

15 “(A) imported solely for purposes of be-
16 coming part of a museum’s permanent collec-
17 tion, return to a lending museum, or display in
18 a museum; or

19 “(B) exported solely for purposes of—

20 “(i) display in a foreign museum; or

21 “(ii) return to a foreign person who
22 lent such ivory to a museum in the United
23 States;

24 “(2) any raw ivory or worked ivory that was
25 lawfully importable into the United States on Feb-
26 ruary 24, 2014, regardless of when acquired; or

1 “(3) any worked ivory that was previously law-
2 fully possessed in the United States.”.

3 **SEC. 1004. PLACEMENT OF UNITED STATES FISH AND WILD-**
4 **LIFE SERVICE LAW ENFORCEMENT OFFICER**
5 **IN EACH AFRICAN ELEPHANT RANGE COUN-**
6 **TRY.**

7 Part I (16 U.S.C. 4211 et seq.) is amended by adding
8 at the end the following:

9 **“SEC. 2105. PLACEMENT OF UNITED STATES FISH AND**
10 **WILDLIFE SERVICE LAW ENFORCEMENT OF-**
11 **FICER IN EACH AFRICAN ELEPHANT RANGE**
12 **COUNTRY.**

13 “The Secretary, in coordination with the Secretary
14 of State, may station one United States Fish and Wildlife
15 Service law enforcement officer in the primary United
16 States diplomatic or consular post in each African country
17 that has a significant population of African elephants, who
18 shall assist local wildlife rangers in the protection of Afri-
19 can elephants and facilitate the apprehension of individ-
20 uals who illegally kill, or assist the illegal killing of, Afri-
21 can elephants.”.

1 **SEC. 1005. CERTIFICATION FOR THE PURPOSES OF THE**
2 **FISHERMEN'S PROTECTIVE ACT OF 1967.**

3 Section 2202 of the African Elephant Conservation
4 Act (16 U.S.C. 4222) is amended by adding at the end
5 the following:

6 “(g) CERTIFICATION.—When the Secretary of the In-
7 terior finds that a country, directly or indirectly, is a sig-
8 nificant transit or destination point for illegal ivory trade,
9 the Secretary shall certify such fact to the President with
10 respect to the country for the purposes of section 8(a) of
11 the Fishermen's Protective Act of 1967 (22 U.S.C.
12 1978(a)).”.

13 **SEC. 1006. TREATMENT OF ELEPHANT IVORY.**

14 Section 2203 (16 U.S.C. 4223) is further amended
15 by adding at the end the following:

16 “(c) TREATMENT OF ELEPHANT IVORY.—Nothing in
17 this Act or the Endangered Species Act of 1973 (16
18 U.S.C. 1538) shall be construed—

19 “(1) to prohibit, or to authorize prohibiting, the
20 possession, sale, delivery, receipt, shipment, or trans-
21 portation of African elephant ivory, or any product
22 containing African elephant ivory, that has been law-
23 fully imported or crafted in the United States; or

24 “(2) to authorize using any means of deter-
25 mining for purposes of this Act or the Endangered
26 Species Act of 1973 whether African elephant ivory

1 has been lawfully imported, including any presump-
2 tion or burden of proof applied in such determina-
3 tion, other than such means used by the Secretary
4 as of February 24, 2014.”.

5 **SEC. 1007. SPORT-HUNTED ELEPHANT TROPHIES.**

6 Section 2203 (16 U.S.C. 4223) is further amended
7 by adding at the end the following:

8 “(d) **SPORT-HUNTED ELEPHANT TROPHIES.**—Noth-
9 ing in this Act or subsection (a) or (d) of section 9 of
10 the Endangered Species Act of 1973 (16 U.S.C. 1538)
11 shall be construed to prohibit any citizen or legal resident
12 of the United States, or an agent of such an individual,
13 from importing a sport-hunted African elephant trophy
14 under section 2202(e) of this Act, if the country in which
15 the elephant was taken had an elephant population on Ap-
16 pendix II of CITES at the time the trophy elephant was
17 taken.

18 “(e) **RELATIONSHIP TO THE CONVENTION.**—Nothing
19 in this section shall be construed as modifying or repealing
20 the Secretary’s duties to implement CITES and the ap-
21 pendices thereto, or as modifying or repealing section 8A
22 or 9(c) of the Endangered Species Act of 1973 (16 U.S.C.
23 1537a and 1538(e)).”.

1 **SEC. 1008. AFRICAN ELEPHANT CONSERVATION ACT FINAN-**
2 **CIAL ASSISTANCE PRIORITY AND REAUTHOR-**
3 **IZATION.**

4 (a) **FINANCIAL ASSISTANCE PRIORITY.**—Section
5 2101 of the African Elephant Conservation Act (16 U.S.C.
6 4211) is amended by redesignating subsections (e) and (f)
7 as subsections (f) and (g), respectively, and by inserting
8 after subsection (d) the following:

9 “(e) **PRIORITY.**—In providing financial assistance
10 under this section, the Secretary shall give priority to
11 projects designed to facilitate the acquisition of equipment
12 and training of wildlife officials in ivory producing coun-
13 tries to be used in anti-poaching efforts.”.

14 (b) **REAUTHORIZATION.**—Section 2306(a) of the Af-
15 rican Elephant Conservation Act (16 U.S.C. 4245(a)) is
16 amended by striking “2007 through 2012” and inserting
17 “2016 through 2020”.

18 **TITLE XI—RESPECT FOR**
19 **TREATIES AND RIGHTS**

20 **SEC. 1101. RESPECT FOR TREATIES AND RIGHTS.**

21 Nothing in this Act or the amendments made by this
22 Act shall be construed to affect or modify any treaty or
23 other right of any federally recognized Indian tribe.

1 **TITLE XII—INTEREST ON OBLI-**
2 **GATIONS HELD IN THE WILD-**
3 **LIFE RESTORATION FUND**

4 **SEC. 1201. INTEREST ON OBLIGATIONS HELD IN THE WILD-**
5 **LIFE RESTORATION FUND.**

6 Section 3(b)(2)(C) of the Pittman-Robertson Wildlife
7 Restoration Act (16 U.S.C. 669b(b)(2)(C)) is amended by
8 striking “2016” and inserting “2026”.

9 **TITLE XIII—PERMITS FOR FILM**
10 **CREWS OF FIVE PEOPLE OR**
11 **LESS**

12 **SEC. 1301. ANNUAL PERMIT AND FEE FOR FILM CREWS OF**
13 **5 PERSONS OR FEWER.**

14 (a) PURPOSE.—The purpose of this section is to pro-
15 vide commercial film crews of 5 persons or fewer access
16 to film in areas designated for public use during public
17 hours on Federal land and waterways.

18 (b) NATIONAL PARK SYSTEM LAND.—Section
19 100905 of title 54, United States Code, is amended—

20 (1) in subsection (a)—

21 (A) in paragraph (1), by striking “The
22 Secretary” and inserting “Except as provided
23 in paragraph (3), the Secretary”; and

24 (B) by adding at the end the following:

1 “(3) SPECIAL RULES FOR FILM CREWS OF 5
2 PERSONS OR FEWER.—

3 “(A) DEFINITION OF FILM CREW.—In this
4 paragraph, the term ‘film crew’ means any per-
5 sons present on Federal land or waterways
6 under the jurisdiction of the Secretary who are
7 associated with the production of a film.

8 “(B) REQUIRED PERMIT AND FEE.—For
9 any film crew of 5 persons or fewer, the Sec-
10 retary shall require a permit and assess an an-
11 nual fee of \$200 for commercial filming activi-
12 ties or similar projects on Federal land and wa-
13 terways administered by the Secretary.

14 “(C) COMMERCIAL FILMING ACTIVITIES.—
15 A permit issued under subparagraph (B) shall
16 be valid for commercial filming activities or
17 similar projects that occur in areas designated
18 for public use during public hours on all Fed-
19 eral land and waterways administered by the
20 Secretary for a 1-year period beginning on the
21 date of issuance of the permit.

22 “(D) NO ADDITIONAL FEES.—For persons
23 holding a permit issued under this paragraph,
24 during the effective period of the permit, the

1 Secretary shall not assess any fees in addition
2 to the fee assessed under subparagraph (B).

3 “(E) USE OF CAMERAS.—The Secretary
4 shall not prohibit, as a mechanized apparatus
5 or under any other purposes, use of cameras or
6 related equipment used for the purpose of com-
7 mercial filming activities or similar projects in
8 accordance with this paragraph on Federal land
9 and waterways administered by the Secretary.

10 “(F) NOTIFICATION REQUIRED.—A film
11 crew of 5 persons or fewer subject to a permit
12 issued under this paragraph shall notify the ap-
13 plicable land management agency with jurisdic-
14 tion over the Federal land at least 48 hours be-
15 fore entering the Federal land.

16 “(G) DENIAL OF ACCESS.—The head of
17 the applicable land management agency may
18 deny access to a film crew under this paragraph
19 if—

20 “(i) there is a likelihood of resource
21 damage that cannot be mitigated;

22 “(ii) there would be an unreasonable
23 disruption of the use and enjoyment of the
24 site by the public;

1 “(iii) the activity poses health or safe-
2 ty risks to the public; or

3 “(iv) the filming includes the use of
4 models or props that are not part of the
5 natural or cultural resources or adminis-
6 trative facilities of the Federal land.”; and

7 (2) in the first sentence of subsection (b), by
8 striking “collect any costs” and inserting “recover
9 any costs”.

10 (c) OTHER FEDERAL LAND.—Section 1 of Public
11 Law 106–206 (16 U.S.C. 460l–6d) is amended—

12 (1) in subsection (a)—

13 (A) in paragraph (1), by striking “The
14 Secretary” and inserting “Except as provided
15 in paragraph (3), the Secretary”; and

16 (B) by adding at the end the following:

17 “(3) SPECIAL RULES FOR FILM CREWS OF 5
18 PERSONS OR FEWER.—

19 “(A) DEFINITION OF FILM CREW.—In this
20 paragraph, the term ‘film crew’ means any per-
21 sons present on Federal land or waterways
22 under the jurisdiction of the Secretary who are
23 associated with the production of a film.

24 “(B) REQUIRED PERMIT AND FEE.—For
25 any film crew of 5 persons or fewer, the Sec-

1 retary shall require a permit and assess an an-
2 nual fee of \$200 for commercial filming activi-
3 ties or similar projects on Federal land and wa-
4 terways administered by the Secretary.

5 “(C) COMMERCIAL FILMING ACTIVITIES.—
6 A permit issued under subparagraph (B) shall
7 be valid for commercial filming activities or
8 similar projects that occur in areas designated
9 for public use during public hours on all Fed-
10 eral land and waterways administered by the
11 Secretary for a 1-year period beginning on the
12 date of issuance of the permit.

13 “(D) NO ADDITIONAL FEES.—For persons
14 holding a permit issued under this paragraph,
15 during the effective period of the permit, the
16 Secretary shall not assess any fees in addition
17 to the fee assessed under subparagraph (B).

18 “(E) USE OF CAMERAS.—The Secretary
19 shall not prohibit, as a mechanized apparatus
20 or under any other purposes, use of cameras or
21 related equipment used for the purpose of com-
22 mercial filming activities or similar projects in
23 accordance with this paragraph on Federal land
24 and waterways administered by the Secretary.

1 “(F) NOTIFICATION REQUIRED.—A film
2 crew of 5 persons or fewer subject to a permit
3 issued under this paragraph shall notify the ap-
4 plicable land management agency with jurisdic-
5 tion over the Federal land at least 48 hours be-
6 fore entering the Federal land.

7 “(G) DENIAL OF ACCESS.—The head of
8 the applicable land management agency may
9 deny access to a film crew under this paragraph
10 if—

11 “(i) there is a likelihood of resource
12 damage that cannot be mitigated;

13 “(ii) there would be an unreasonable
14 disruption of the use and enjoyment of the
15 site by the public;

16 “(iii) the activity poses health or safe-
17 ty risks to the public; or

18 “(iv) the filming includes the use of
19 models or props that are not part of the
20 natural or cultural resources or adminis-
21 trative facilities of the Federal land.”; and

22 (2) in the first sentence of subsection (b)—

23 (A) by striking “collect any costs” and in-
24 serting “recover any costs”; and

- 1 (B) by striking “similar project” and in-
- 2 serting “similar projects”.

○