

114TH CONGRESS  
2D SESSION

# H. R. 5650

To amend the Pittman-Robertson Wildlife Restoration Act to make funds available for management of fish and wildlife species of greatest conservation need as determined by State fish and wildlife agencies.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 6, 2016

Mr. YOUNG of Alaska (for himself and Mrs. DINGELL) introduced the following bill; which was referred to the Committee on Natural Resources

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## A BILL

To amend the Pittman-Robertson Wildlife Restoration Act to make funds available for management of fish and wildlife species of greatest conservation need as determined by State fish and wildlife agencies.

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 “Recovering America’s  
5 Wildlife Act of 2016”.

6 **SEC. 2. FINDINGS AND PURPOSES.**

7 (a) FINDINGS.—Congress finds that—

1           (1) a diverse array of species of fish and wild-  
2 life is of significant value to the United States for  
3 many reasons, including aesthetic, ecological, edu-  
4 cational, cultural, recreational, economic, and sci-  
5 entific reasons;

6           (2) more than 90 million citizens of the United  
7 States participate in outdoor recreation through  
8 hunting, fishing, birding, and other wildlife-depend-  
9 ent recreation, all of which have significant value to  
10 the citizens who engage in those activities and pro-  
11 vide economic benefits to local communities;

12           (3) it is in the interest of the United States—

13           (A) to retain for present and future gen-  
14 erations the opportunity to hunt, fish, observe,  
15 understand, and appreciate a wide variety of  
16 fish and wildlife;

17           (B) to recover species of fish and wildlife  
18 listed under the Endangered Species Act of  
19 1973 (16 U.S.C. 1531 et seq.) requiring Fed-  
20 eral protection, and to prevent fish and wildlife  
21 species from declining to the point of requiring  
22 Federal protection under that Act, by con-  
23 serving species in greatest conservation need;  
24 and

1 (C) to support collaborative and proactive  
2 conservation that will sustain America’s diverse  
3 fish and wildlife populations;

4 (4) hunters and anglers, including future Presi-  
5 dent Theodore Roosevelt and naturalist George Bird  
6 Grinnell, were alarmed in the 1880–90s that game  
7 and sportfish could not sustain unregulated harvest,  
8 and that avifauna needed protection from commer-  
9 cial take, and thus founded the first nongovern-  
10 mental conservation organizations to instill fish and  
11 wildlife conservation values in hunters, anglers, bird  
12 watchers, and all citizens;

13 (5) at the turn of the 20th century, the States  
14 realized the need to regulate harvest of game and  
15 sportfish for sustainable use, and required hunting  
16 and angling licenses of users, and established sea-  
17 sons, bag and creel limits, and legal means of take  
18 for game and sportfish, using license dollars largely  
19 for enforcement of those regulations;

20 (6) in 1937, an alliance between hunters and  
21 conservation organizations, the State governments,  
22 the Federal Government, and the shooting sports in-  
23 dustry convinced Congress to transfer receipts from  
24 an existing Federal excise tax on sporting arms and  
25 ammunition to the States, matched by State hunting

1 license dollars, for the management of wildlife and  
2 conservation of habitat under the Pittman-Robertson  
3 Wildlife Restoration Act (16 U.S.C. 669 et seq.),  
4 which greatly enhanced the States ability to move  
5 from largely the enforcement of game seasons and  
6 bag limits into science-based research and manage-  
7 ment of all wildlife;

8 (7) similarly, in 1951, an alliance between an-  
9 glers and conservation organizations, the State gov-  
10 ernments, the Federal Government, and the sport-  
11 fishing industry, convinced Congress to impose a  
12 Federal excise tax on fishing equipment under the  
13 Dingell-Johnson Sportfish Restoration Act (16  
14 U.S.C. 777 et seq.), and to transfer receipts to the  
15 States, matched by State fishing license revenues, to  
16 manage sport fish and conserve aquatic habitats,  
17 further enhancing the maturation of the State fish  
18 and wildlife agencies into science-based management  
19 of all fish species;

20 (8) this user-pay, public-benefits means of fund-  
21 ing fish and wildlife conservation is unique in the  
22 world, having been brought to the Federal Govern-  
23 ment by sportsmen and sportswomen who were will-  
24 ing to pay these fees to ensure dedicated funds to

1 fish and wildlife conservation delivered by the  
2 States;

3 (9) these user-pay funds (licenses and excise  
4 taxes)—

5 (A) have benefited not just hunters and  
6 anglers but all Americans in providing abun-  
7 dant fish and wildlife (game and nongame spe-  
8 cies both), clean water, outdoor recreation,  
9 healthy activities, and quality of life; and

10 (B) provide, and will continue to provide,  
11 a majority of the funds that are available to  
12 State fish and wildlife agencies for science-  
13 based management of fish and wildlife for their  
14 citizens;

15 (10) State fish and wildlife agencies are respon-  
16 sible for all fish and wildlife, but are grossly under-  
17 funded to fulfill these responsibilities because there  
18 are few funds available at the State level for fish  
19 and wildlife conservation except those driven by  
20 hunting and fishing license revenues, and Federal  
21 excise tax revenues;

22 (11) Congress enacted the Wildlife Conserva-  
23 tion and Restoration Account under section 3(a)(2)  
24 of the Pittman-Robertson Wildlife Restoration Act  
25 (16 U.S.C. 669b(a)(2)) to extend support for the

1 full array of fish and wildlife conservation needs, in-  
2 cluding species that are not hunted or fished, but  
3 only authorized appropriations for the Account for  
4 one year;

5 (12) while appropriated funds have been made  
6 available through the State Wildlife Grants program  
7 of the United States Fish and Wildlife Service, the  
8 lack of assured and sufficient dedicated funds for  
9 the Wildlife Conservation and Restoration Account  
10 has left unrealized the goals of the Account, thereby  
11 allowing fish and wildlife to continue to decline  
12 across the United States and resulting in hundreds  
13 of species being listed under the Endangered Species  
14 Act of 1973;

15 (13) partly as a requirement of the unfunded  
16 Wildlife Conservation and Restoration Account, each  
17 State and territory is required to seek public input  
18 and produce a comprehensive fish and wildlife con-  
19 servation strategy, called a State Wildlife Action  
20 Plan, to guide the conservation of the full array of  
21 fish, wildlife and their habitats in each State and  
22 territory;

23 (14) providing assured and sufficient dedicated  
24 funding to the Wildlife Conservation and Restoration  
25 Account will advance the national interest in assur-

1 ing sustainable populations of all fish and wildlife  
2 species for the use and enjoyment of our citizens,  
3 through implementing the comprehensive fish and  
4 wildlife conservation strategies of the States;

5 (15) as funds become available through enact-  
6 ment of this Act, States should secure the needed  
7 non-Federal match from sources other than revenue  
8 generated by sportsmen and sportswomen through  
9 the sale of State hunting and fishing licenses, which  
10 is the historic, and sometimes only, source of match-  
11 ing funds for the excise tax revenue generated  
12 through the Federal wildlife and sport fish restora-  
13 tion accounts; and

14 (16) Federal wildlife and sport fish restoration  
15 accounts support activities that include, but are not  
16 limited to, fish and wildlife restoration projects for  
17 game species that also benefit an array of other  
18 game and nongame species, hunter education, and  
19 range development efforts.

20 (b) PURPOSES.—The purposes of this Act are—

21 (1) to provide dedicated and assured funding to  
22 advance the national interest in keeping fish and  
23 wildlife from becoming threatened or endangered  
24 with extinction, by supporting programs in each  
25 State and territory to address the conservation needs

1 of the full diverse array of declining fish and wildlife  
2 species, including both game and nongame species;

3 (2) to provide from the Wildlife Conservation  
4 and Restoration Account the Federal share of the  
5 support needed to implement the comprehensive fish  
6 and wildlife conservation strategies developed by  
7 each State and territory in order to address the  
8 needs of those species identified by each State and  
9 territory as species of greatest conservation need;  
10 and

11 (3) to carry out collaborative and proactive con-  
12 servation actions with the goal of precluding the  
13 need for listing of species under the Endangered  
14 Species Act of 1973 (16 U.S.C. 1531), as well as en-  
15 hancing the ability of the States to recover species  
16 listed under that Act and remove them from the pro-  
17 tection of the Act.

18 **SEC. 3. WILDLIFE CONSERVATION AND RESTORATION SUB-**  
19 **ACCOUNT.**

20 Section 3(a) of the Pittman-Robertson Wildlife Res-  
21 toration Act (16 U.S.C. 669b(a)) is amended by striking  
22 paragraph (2) and inserting the following:

23 “(2) WILDLIFE CONSERVATION AND RESTORA-  
24 TION SUBACCOUNT.—



1           “(A) ESTABLISHMENT.—There is estab-  
2           lished in the Federal Aid to Wildlife Restora-  
3           tion Fund a subaccount to be known as the  
4           ‘Wildlife Conservation and Restoration Sub-  
5           account’ (referred to in this paragraph as the  
6           ‘Subaccount’).

7           “(B) USE.—Amounts in the Subaccount  
8           shall be available without further appropriation,  
9           for each fiscal year, for apportionment in ac-  
10          cordance with this Act to carry out State Wild-  
11          life Conservation and Restoration programs in  
12          order to manage fish and wildlife species of  
13          greatest conservation need as determined by a  
14          State fish and wildlife agency.

15          “(C) DEPOSITS.—Starting in fiscal year  
16          2016, the Secretary of the Treasury shall trans-  
17          fer to the fund for deposit in the Subaccount  
18          the following:

19               “(i) OUTER CONTINENTAL SHELF  
20               REVENUES.—From amounts deposited in  
21               the Treasury under section 9 of the Outer  
22               Continental Shelf Lands Act (43 U.S.C.  
23               1338), \$650,000,000.

24               “(ii) MINING REVENUES.—From  
25               amounts deposited in the Treasury under

1 section 35 of the Mineral Leasing Act (30  
2 U.S.C. 191), after the withdrawal of funds  
3 to the States under subsection (a) of that  
4 section, \$650,000,000.”.

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