

City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 439

Approved October 25, 2017

WHEREAS, On September 1, 2017, Congressman Jeff Duncan (R-SC) introduced HR 3668, known as the Sportsmen's Heritage and Recreational Enhancement Act or SHARE Act; and

WHEREAS, This bill includes a section entitled the "Hearing Protection Act", which would eliminate restrictions on the purchasing of firearm silencers; and

WHEREAS, Currently, firearm silencers and mufflers are included in the definition for "firearms" and, thus, are subject to the same registration and licensing requirements as other firearms; and

WHEREAS, HR 3668 proposes to strike firearm silencers and mufflers from this definition, exempting them from the same registration requirements of firearms; and

WHEREAS, Politico states that "the waiting time to purchase such devices is far longer than for handguns or other weapons, as much as nine months or more"; and

WHEREAS, Striking silencers from the same requirements as firearms would eliminate the waiting period, making them easier to acquire; and

WHEREAS, As it stands, there is currently a two hundred dollar (\$200.00) transfer fee for the acquisition of any silencer that is made payable to the Bureau of Alcohol, Tobacco, Firearms, and Explosives; and

WHEREAS, This bill also would exempt firearm silencers and mufflers from any State tax or fee, effectively removing the transfer fee; and

WHEREAS, It will add silencers to the list of items that will only be taxable at 10%; and

WHEREAS, HR 3668 will add silencers to the list of items purchasable by individuals under 18 years of age and allows individuals from out-of-state to purchase them as well, undermining state and local regulations; and

WHEREAS, Following the tragic events in Las Vegas on Sunday, October 1, 2017, leaders in both parties and across the political spectrum, including both Paul Ryan and Hillary Clinton, have called for increased regulations on silencers.

NOW, THEREFORE, BE IT RESOLVED, That the Providence City Council strongly opposes HR 3668 known as the Sportsmen's Heritage and Recreational Enhancement (SHARE) Act.

BE IT FURTHER RESOLVED, That, upon passage, copies of this resolution be sent to the elected U.S. House representatives of the City of Providence.

IN CITY COUNCIL

OCT 19 2017

READ AND PASSED

Sabrina Mata
ACTING PRES.

Lou L. Hays
CLERK

I HEREBY APPROVE.

[Signature]
Mayor
Date: 10/25/17

Union Calendar No. 224

115TH CONGRESS
1ST SESSION

H. R. 3668

[Report No. 115-314, Part I]

To provide for the preservation of sportsmen's heritage and enhance recreation opportunities on Federal land, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 1, 2017

Mr. DUNCAN of South Carolina (for himself, Mr. AUSTIN SCOTT of Georgia, and Mr. WITTMAN) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committees on Agriculture, the Judiciary, Energy and Commerce, Transportation and Infrastructure, and Ways and Means, 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

SEPTEMBER 18, 2017

Additional sponsors: Mr. CARTER of Texas, Mr. GENE GREEN of Texas, and Mr. SESSIONS

SEPTEMBER 18, 2017

Reported from the Committee on Natural Resources with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

SEPTEMBER 18, 2017

The Committees on Agriculture, the Judiciary, Energy and Commerce, Transportation and Infrastructure, and Ways and Means discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on September 1, 2017]

A BILL

To provide for the preservation of sportsmen's heritage and enhance recreation opportunities on Federal land, 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” or the “SHARE Act”.*

6 **SEC. 2. TABLE OF CONTENTS.**

7 *The table of contents for this Act is as follows:*

Sec. 1. Short title.

Sec. 2. Table of contents.

TITLE I—FISHING 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. Definition of public target range.

Sec. 203. Amendments to Pittman-Robertson Wildlife Restoration Act.

Sec. 204. Limits on liability.

Sec. 205. Sense of Congress regarding cooperation.

TITLE III—RECREATIONAL LANDS SELF-DEFENSE ACT

Sec. 301. Short title.

Sec. 302. Protecting Americans from violent crime.

**TITLE IV—RECREATIONAL FISHING AND HUNTING HERITAGE
OPPORTUNITIES ACT**

Sec. 401. Short title.

Sec. 402. Definitions.

Sec. 403. Recreational fishing, hunting, and shooting.

Sec. 404. Volunteer hunters; reports; closures and restrictions.

Sec. 405. Withdrawal of existing rule regarding hunting and trapping in Alaska.

TITLE V—FARMER AND HUNTER PROTECTION ACT

Sec. 501. Short title.

Sec. 502. Baiting of migratory game birds.

**TITLE VI—TRANSPORTING BOWS ACROSS NATIONAL PARK SERVICE
LANDS**

Sec. 601. Short title.

Sec. 602. Bowhunting opportunity and wildlife stewardship.

TITLE VII—RESPECT FOR TREATIES AND RIGHTS

Sec. 701. Respect for treaties and rights.

TITLE VIII—STATE APPROVAL OF FISHING RESTRICTION

Sec. 801. State or territorial approval of restriction of recreational or commercial fishing access to certain State or territorial waters.

TITLE IX—OPEN BOOK ON EQUAL ACCESS TO JUSTICE

Sec. 901. Short title.

Sec. 902. Modification of equal access to justice provisions.

TITLE X—GOOD SAMARITAN SEARCH AND RECOVERY

Sec. 1001. Short title.

Sec. 1002. Expedited access to certain Federal land.

TITLE XI—INTERSTATE TRANSPORTATION OF FIREARMS OR AMMUNITION

Sec. 1101. Interstate transportation of firearms or ammunition.

TITLE XII—POLAR BEAR CONSERVATION AND FAIRNESS ACT

Sec. 1201. Short title.

Sec. 1202. Permits for importation of polar bear trophies taken in sport hunts in Canada.

TITLE XIII—NORTH AMERICAN WETLANDS CONSERVATION EXTENSION

Sec. 1301. Short title.

Sec. 1302. Authorization of appropriations.

Sec. 1303. Limitation on expenditures for purchase of land.

Sec. 1304. Enhanced report on expenditures.

TITLE XIV—GRAY WOLVES

Sec. 1401. Reissuance of final rules relating to gray wolves in the Western Great Lakes and the State of Wyoming.

TITLE XV—HEARING PROTECTION

Sec. 1501. Short title.

Sec. 1502. Equal treatment of silencers and firearms.

Sec. 1503. Treatment of certain silencers.

Sec. 1504. Preemption of certain State laws in relation to firearm silencers.

Sec. 1505. Destruction of records.

Sec. 1506. Amendments to title 18, United States Code.

Sec. 1507. Imposition of tax on firearm silencers or firearm mufflers.

TITLE XVI—LAWFUL PURPOSE AND SELF-DEFENSE

Sec. 1601. Short title.

Sec. 1602. Elimination of authority to reclassify popular rifle ammunition as "armor piercing ammunition".

- Sec. 1603. Elimination of restrictions on importation of non-National Firearms Act firearm or ammunition that may otherwise be lawfully possessed and sold in the United States.*
- Sec. 1604. Protection of shotguns, shotgun shells, and large caliber rifles from arbitrary classification as "destructive devices".*
- Sec. 1605. Broadening of the temporary interstate transfer provision to allow temporary transfers for all lawful purposes rather than just for "sporting purposes".*

**TITLE XVII—FEDERAL LAND TRANSACTION FACILITATION ACT
REAUTHORIZATION (FLTFA)**

- Sec. 1701. Short title.*
- Sec. 1702. Federal Land Transaction Facilitation Act.*

TITLE XVIII—FILM CREWS

- Sec. 1801. Annual permit and fee for film crews of 5 persons or fewer.*

**TITLE XIX—RESPECT FOR STATE WILDLIFE MANAGEMENT
AUTHORITY**

- Sec. 1901. Authority of the States.*
- Sec. 1902. Federal licenses.*
- Sec. 1903. Cooperation with State Fish and Wildlife Agencies on Management Plans.*

TITLE XX—GRAND CANYON BISON MANAGEMENT ACT

- Sec. 2001. Short title.*
- Sec. 2002. Definitions.*
- Sec. 2003. Bison management plan for Grand Canyon National Park.*

TITLE XXI—GUIDES AND OUTFITTERS

- Sec. 2101. Short title; definitions.*
- Sec. 2102. Special recreation permit and fee.*
- Sec. 2103. Permit across multiple jurisdictions.*
- Sec. 2104. Guidelines and permit fee calculation.*
- Sec. 2105. Use of permit fees for permit administration.*
- Sec. 2106. Adjustment to permit use reviews.*
- Sec. 2107. Authorization of temporary permits for new uses for the Forest Service and BLM.*
- Sec. 2108. Indemnification requirements.*
- Sec. 2109. Streamlining of permitting process.*
- Sec. 2110. Cost recovery reform.*
- Sec. 2111. Extension of forest service recreation priority use permits.*

**TITLE XXII—HUNTING AND RECREATIONAL FISHING WITHIN
CERTAIN NATIONAL FORESTS**

- Sec. 2201. Definitions.*
- Sec. 2202. Hunting and recreational fishing within the National Forest System.*

1 **TITLE I—FISHING PROTECTION**
2 **ACT**

3 **SEC. 101. SHORT TITLE.**

4 *This title may be cited as the “Fishing Protection*
5 *Act”.*

6 **SEC. 102. MODIFICATION OF DEFINITION.**

7 *Section 3(2)(B) of the Toxic Substances Control Act*
8 *(15 U.S.C. 2602(2)(B)) is amended—*

9 *(1) in clause (v), by striking “and” at the end;*

10 *(2) in clause (vi), by striking the period at the*
11 *end and inserting “, and”; and*

12 *(3) by inserting after clause (vi) the following:*

13 *“(vii) any sport fishing equipment (as such term*
14 *is defined in subsection (a) of section 4162 of the In-*
15 *ternal Revenue Code of 1986) the sale of which is sub-*
16 *ject to the tax imposed by section 4161(a) of such*
17 *Code (determined without regard to any exemptions*
18 *from such tax as provided by section 4162 or 4221 or*
19 *any other provision of such Code), and sport fishing*
20 *equipment components.”.*

21 **SEC. 103. LIMITATION ON AUTHORITY TO REGULATE AMMU-**
22 **NITION AND FISHING TACKLE.**

23 *Except as provided in section 20.21 of title 50, Code*
24 *of Federal Regulations, as in effect on the date of the enact-*
25 *ment of this Act, or any substantially similar successor reg-*

1 *ulation thereto, the Secretary of the Interior, the Secretary*
2 *of Agriculture, and any bureau, service, or office of the De-*
3 *partment of the Interior or the Department of Agriculture,*
4 *may not regulate the use of ammunition cartridges, ammu-*
5 *munition components, or fishing tackle based on the lead con-*
6 *tent thereof if such use is in compliance with the law of*
7 *the State in which the use occurs.*

8 **TITLE II—TARGET PRACTICE**
9 **AND MARKSMANSHIP TRAIN-**
10 **ING SUPPORT ACT**

11 **SEC. 201. SHORT TITLE.**

12 *This title may be cited as the “Target Practice and*
13 *Marksmanship Training Support Act”.*

14 **SEC. 202. DEFINITION OF PUBLIC TARGET RANGE.**

15 *In this title, the term “public target range” means a*
16 *specific location that—*

17 *(1) is identified by a governmental agency for*
18 *recreational shooting;*

19 *(2) is open to the public;*

20 *(3) may be supervised; and*

21 *(4) may accommodate archery or rifle, pistol, or*
22 *shotgun shooting.*

1 **SEC. 203. AMENDMENTS TO PITTMAN-ROBERTSON WILD-**
2 **LIFE RESTORATION ACT.**

3 (a) *DEFINITIONS.*—Section 2 of the Pittman-Robertson
4 *Wildlife Restoration Act* (16 U.S.C. 669a) is amended—

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

7 (2) by inserting after paragraph (1) the fol-
8 lowing:

9 “(2) the term ‘public target range’ means a spe-
10 cific location that—

11 “(A) is identified by a governmental agency
12 for recreational shooting;

13 “(B) is open to the public;

14 “(C) may be supervised; and

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

17 (b) *EXPENDITURES FOR MANAGEMENT OF WILDLIFE*
18 *AREAS AND RESOURCES.*—Section 8(b) of the Pittman-
19 *Robertson Wildlife Restoration Act* (16 U.S.C. 669g(b)) is
20 amended—

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

23 “(b) *EXPENDITURES FOR MANAGEMENT OF WILDLIFE*
24 *AREAS AND RESOURCES.*—

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

1 (2) in paragraph (1) (as so designated), by strik-
2 ing “construction, operation,” and inserting “oper-
3 ation”;

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

6 “(3) *NON-FEDERAL SHARE*.—The non-Federal
7 share”;

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

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

11 (5) by inserting after paragraph (1) (as des-
12 ignated by paragraph (1) of this subsection) the fol-
13 lowing:

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

18 (c) *FIREARM AND BOW HUNTER EDUCATION AND*
19 *SAFETY PROGRAM GRANTS*.—Section 10 of the Pittman-
20 Robertson Wildlife Restoration Act (16 U.S.C. 669h-1) is
21 amended—

22 (1) in subsection (a), by adding at the end the
23 following:

24 “(3) *ALLOCATION OF ADDITIONAL AMOUNTS*.—Of
25 the amount apportioned to a State for any fiscal year

1 under section 4(b), the State may elect to allocate not
2 more than 10 percent, to be combined with the
3 amount apportioned to the State under paragraph (1)
4 for that fiscal year, for acquiring land for, expanding,
5 or constructing a public target range.”;

6 (2) by striking subsection (b) and inserting the
7 following:

8 “(b) *COST SHARING*.—

9 “(1) *IN GENERAL*.—Except as provided in para-
10 graph (2), the Federal share of the cost of any activity
11 carried out using a grant under this section shall not
12 exceed 75 percent of the total cost of the activity.

13 “(2) *PUBLIC TARGET RANGE CONSTRUCTION OR*
14 *EXPANSION*.—The Federal share of the cost of acquir-
15 ing land for, expanding, or constructing a public tar-
16 get range in a State on Federal or non-Federal land
17 pursuant to this section or section 8(b) shall not ex-
18 ceed 90 percent of the cost of the activity.

19 “(3) *IN-KIND MATCH*.—For the purposes of cost
20 sharing, any institution (as defined by 7 U.S.C.
21 7601) that is eligible to receive amounts under this
22 section shall be allowed to use the present value of
23 their land as an in-kind match to satisfy cost sharing
24 requirements regardless of any restrictions in law

1 that would otherwise prohibit the use of the land for
2 such purpose.”; 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 ex-
12 penditure and obligation during the 5-fiscal-year
13 period beginning on October 1 of the first fiscal
14 year for which the amounts are made avail-
15 able.”.

16 **SEC. 204. LIMITS ON LIABILITY.**

17 (a) *DISCRETIONARY FUNCTION.*—For purposes of
18 chapter 171 of title 28, United States Code (commonly re-
19 ferred to as the “Federal Tort Claims Act”), any action by
20 an agent or employee of the United States to manage or
21 allow the use of Federal land for purposes of target practice
22 or marksmanship training by a member of the public shall
23 be considered to be the exercise or performance of a discre-
24 tionary 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 Wild-*
9 *life Restoration Act (16 U.S.C. 669 et seq.); or*

10 (2) *located on Federal land.*

11 **SEC. 205. 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 should*
15 *cooperate with State and local authorities and other entities*
16 *to carry out waste removal and other activities on any Fed-*
17 *eral land used as a public target range to encourage contin-*
18 *ued use of that land for target practice or marksmanship*
19 *training.*

20 **TITLE III—RECREATIONAL**
21 **LANDS SELF-DEFENSE ACT**

22 **SEC. 301. SHORT TITLE.**

23 *This title may be cited as the “Recreational Lands*
24 *Self-Defense Act”.*

1 **SEC. 302. PROTECTING AMERICANS FROM VIOLENT CRIME.**

2 *The Secretary of the Army shall not promulgate or en-*
3 *force any regulation that prohibits an individual from pos-*
4 *sessing a firearm, including a firearm that is assembled,*
5 *loaded, and functional, at a water resources development*
6 *project covered under section 327.0 of title 36, Code of Fed-*
7 *eral Regulations (as in effect on the date of enactment of*
8 *this Act), if—*

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

11 (2) *the possession of the firearm is in compliance*
12 *with the law of the State in which the water resources*
13 *development project is located.*

14 **TITLE IV—RECREATIONAL FISH-**
15 **ING AND HUNTING HERITAGE**
16 **OPPORTUNITIES ACT**

17 **SEC. 401. SHORT TITLE.**

18 *This title may be cited as the “Recreational Fishing*
19 *and Hunting Heritage and Opportunities Act”.*

20 **SEC. 402. DEFINITIONS.**

21 *In this title:*

22 (1) **FEDERAL PUBLIC LAND.**—*The term “Federal*
23 *public land” means any land or water that is owned*
24 *and managed by the Bureau of Land Management or*
25 *the Forest Service.*

1 (2) *FEDERAL PUBLIC LAND MANAGEMENT OFFI-*
2 *CIALS.—The term “Federal public land management*
3 *officials” means—*

4 (A) *the Secretary of the Interior and the*
5 *Director of the Bureau of Land Management re-*
6 *garding Bureau of Land Management lands and*
7 *waters; and*

8 (B) *the Secretary of Agriculture and the*
9 *Chief of the Forest Service regarding the Na-*
10 *tional Forest System.*

11 (3) *HUNTING.—*

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

16 (i) *pursuit, shooting, capture, collec-*
17 *tion, trapping, or killing of wildlife;*

18 (ii) *attempt to pursue, shoot, capture,*
19 *collect, trap, or kill wildlife; or*

20 (iii) *the training of hunting dogs, in-*
21 *cluding field trials.*

22 (B) *EXCLUSION.—The term “hunting” does*
23 *not include the use of skilled volunteers to cull*
24 *excess animals (as defined by other Federal law).*

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

3 (A) pursuit, capture, collection, or killing of
4 fish; or

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

6 (5) *RECREATIONAL SHOOTING.*—The term “rec-
7 reational shooting” means any form of sport, train-
8 ing, competition, or pastime, whether formal or infor-
9 mal, that involves the discharge of a rifle, handgun,
10 or shotgun, or the use of a bow and arrow.

11 **SEC. 403. RECREATIONAL FISHING, HUNTING, AND SHOOT-**
12 **ING.**

13 (a) *IN GENERAL.*—Subject to valid existing rights and
14 subsection (g), and cooperation with the respective State
15 fish and wildlife agency, Federal public 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 public lands, including Na-
19 tional Monuments, Wilderness Areas, Wilderness Study
20 Areas, and lands administratively classified as wilderness
21 eligible or suitable and primitive or semi-primitive areas,
22 for recreational fishing, hunting, and shooting, except as
23 limited 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 recreational fishing, hunting, or shooting on*
6 *specific Federal public lands, waters, or units thereof;*
7 *or*

8 (3) *discretionary limitations on recreational*
9 *fishing, hunting, and 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 (b) *MANAGEMENT.*—*Consistent with subsection (a), the*
14 *head of each Federal public land management agency shall*
15 *exercise its land management discretion—*

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

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

21 (3) *in accordance with applicable Federal law.*

22 (c) *PLANNING.*—

23 (1) *EVALUATION OF EFFECTS ON OPPORTUNITIES*
24 *TO ENGAGE IN RECREATIONAL FISHING, HUNTING, OR*
25 *SHOOTING.*—*Federal public land planning documents,*

1 *including land resources management plans, resource*
2 *management plans, and comprehensive conservation*
3 *plans, shall include a specific evaluation of the effects*
4 *of such plans on opportunities to engage in rec-*
5 *reational fishing, hunting, or shooting.*

6 (2) *NO MAJOR FEDERAL ACTION.*—No action
7 *taken under this title, or under section 4 of the Na-*
8 *tional Wildlife Refuge System Administration Act of*
9 *1966 (16 U.S.C. 668dd), either individually or cumu-*
10 *latively with other actions involving Federal public*
11 *lands or lands managed by the United States Fish*
12 *and Wildlife Service, shall be considered under the*
13 *National Environmental Policy Act of 1969 (42*
14 *U.S.C. 4321 et seq.) to be a major Federal action sig-*
15 *nificantly affecting the quality of the human environ-*
16 *ment, and no additional identification, analysis, or*
17 *consideration of environmental effects, including cu-*
18 *mulative effects, is necessary or required with respect*
19 *to such an action.*

20 (3) *OTHER ACTIVITY NOT CONSIDERED.*—Federal
21 *public land management officials are not required to*
22 *consider the existence or availability of recreational*
23 *fishing, hunting, or shooting opportunities on adja-*
24 *cent or nearby public or private lands in the plan-*
25 *ning for or determination of which Federal public*

1 *lands are open for these activities or in the setting of*
2 *levels of use for these activities on Federal public*
3 *lands, unless the combination or coordination of such*
4 *opportunities would enhance the recreational fishing,*
5 *hunting, or shooting opportunities available to the*
6 *public.*

7 (d) *FEDERAL PUBLIC LANDS.—*

8 (1) *LANDS OPEN.—Notwithstanding any other*
9 *law, lands under the jurisdiction of the Bureau of*
10 *Land Management or the Forest Service, including*
11 *Wilderness Areas, Wilderness Study Areas, lands des-*
12 *ignated as wilderness or administratively classified as*
13 *wilderness eligible or suitable and primitive or semi-*
14 *primitive areas and National Monuments, but exclud-*
15 *ing lands on the Outer Continental Shelf, shall be*
16 *open to recreational fishing, hunting, and shooting*
17 *unless the managing Federal agency acts to close*
18 *lands to such activity. Lands may be made subject to*
19 *closure to or restriction on recreational fishing, hunt-*
20 *ing, or shooting if determined by the head of the agen-*
21 *cy concerned to be necessary and reasonable and sup-*
22 *ported by facts and evidence, for purposes including*
23 *resource conservation, public safety, energy or min-*
24 *eral production, energy generation or transmission*
25 *infrastructure, water supply facilities, protection of*

1 *other permittees, protection of private property rights*
2 *or interest, national security, or compliance with*
3 *other law.*

4 (2) *SHOOTING RANGES.—*

5 (A) *IN GENERAL.—The head of each Federal*
6 *agency shall use his or her authorities in a man-*
7 *ner consistent with this title and other applicable*
8 *law, to—*

9 (i) *lease or permit use of lands under*
10 *the jurisdiction of the agency for shooting*
11 *ranges; and*

12 (ii) *designate specific lands under the*
13 *jurisdiction of the agency for recreational*
14 *shooting activities.*

15 (B) *LIMITATION ON LIABILITY.—Any des-*
16 *ignation under subparagraph (A)(ii) shall not*
17 *subject the United States to any civil action or*
18 *claim for monetary damages for injury or loss of*
19 *property or personal injury or death caused by*
20 *any activity occurring at or on such designated*
21 *lands.*

22 (e) *NECESSITY IN WILDERNESS AREAS AND “WITHIN*
23 *AND SUPPLEMENTAL TO” WILDERNESS PURPOSES.—*

24 (1) *MINIMUM REQUIREMENTS FOR ADMINISTRA-*
25 *TION.—The provision of opportunities for recreational*

1 *fishing, hunting, and shooting and the conservation of*
2 *fish and wildlife to provide sustainable use rec-*
3 *reational opportunities on designated Federal wilder-*
4 *ness areas shall constitute measures necessary to meet*
5 *the minimum requirements for the administration of*
6 *the wilderness area, provided that this determination*
7 *shall not authorize or facilitate commodity develop-*
8 *ment, use, or extraction, motorized recreational access*
9 *or use that is not otherwise allowed under the Wilder-*
10 *ness Act (16 U.S.C. 1131 et seq.), or permanent road*
11 *construction or maintenance within designated wil-*
12 *derness areas.*

13 (2) *APPLICATION OF WILDERNESS ACT.—Provi-*
14 *sions of the Wilderness Act (16 U.S.C. 1131 et seq.),*
15 *stipulating that wilderness purposes are “within and*
16 *supplemental to” the purposes of the underlying Fed-*
17 *eral land unit are reaffirmed. When seeking to carry*
18 *out fish and wildlife conservation programs and*
19 *projects or provide fish and wildlife dependent recre-*
20 *ation opportunities on designated wilderness areas,*
21 *the head of each Federal agency shall implement these*
22 *supplemental purposes so as to facilitate, enhance, or*
23 *both, but not to impede the underlying Federal land*
24 *purposes when seeking to carry out fish and wildlife*
25 *conservation programs and projects or provide fish*

1 *and wildlife dependent recreation opportunities in*
2 *designated wilderness areas, provided that such im-*
3 *plementation shall not authorize or facilitate com-*
4 *modity development, use or extraction, or permanent*
5 *road construction or use within designated wilderness*
6 *areas.*

7 *(f) REPORT.—Beginning on the second October 1 after*
8 *the date of the enactment of this Act and biennially on Octo-*
9 *ber 1 thereafter, the head of each Federal agency who has*
10 *authority to manage Federal public land on which rec-*
11 *reational fishing, hunting, or shooting occurs shall submit*
12 *to the Committee on Natural Resources of the House of Rep-*
13 *resentatives and the Committee on Energy and Natural Re-*
14 *sources of the Senate a report that describes—*

15 *(1) any Federal public land administered by the*
16 *agency head that was closed to recreational fishing,*
17 *hunting, or shooting at any time during the pre-*
18 *ceding year; and*

19 *(2) the reason for the closure.*

20 *(g) CLOSURES OR SIGNIFICANT RESTRICTIONS OF 640*
21 *OR MORE ACRES.—*

22 *(1) IN GENERAL.—Other than closures estab-*
23 *lished or prescribed by land planning actions referred*
24 *to in subsection (d) or emergency closures described in*
25 *paragraph (3) of this subsection, a permanent or tem-*

1 *porary withdrawal, change of classification, or change*
2 *of management status of Federal public land that ef-*
3 *fectively closes or significantly restricts 640 or more*
4 *contiguous acres of Federal public land to access or*
5 *use for recreational fishing or hunting or activities*
6 *related to recreational fishing or hunting, or both,*
7 *shall take effect only if, before the date of withdrawal*
8 *or change, the head of the Federal agency that has ju-*
9 *risdiction over the Federal public land—*

10 *(A) publishes appropriate notice of the*
11 *withdrawal or change, respectively;*

12 *(B) demonstrates that coordination has oc-*
13 *curred with a State fish and wildlife agency;*
14 *and*

15 *(C) submits to the Committee on Natural*
16 *Resources of the House of Representatives and*
17 *the Committee on Energy and Natural Resources*
18 *of the Senate written notice of the withdrawal or*
19 *change, respectively.*

20 *(2) AGGREGATE OR CUMULATIVE EFFECTS.—If*
21 *the aggregate or cumulative effect of separate with-*
22 *drawals or changes effectively closes or significantly*
23 *restricts 1,280 or more acres of land or water, such*
24 *withdrawals and changes shall be treated as a single*
25 *withdrawal or change for purposes of paragraph (1).*

1 (3) *EMERGENCY CLOSURES.*—Nothing in this
2 title prohibits a Federal land management agency
3 from establishing or implementing emergency closures
4 or restrictions of the smallest practicable area to pro-
5 vide for public safety, resource conservation, national
6 security, or other purposes authorized by law. Such
7 an emergency closure shall terminate after a reason-
8 able period of time unless converted to a permanent
9 closure consistent with this title.

10 (h) *NATIONAL PARK SERVICE UNITS NOT AF-*
11 *FECTED.*—Nothing in this title shall affect or modify man-
12 agement or use of units of the National Park System.

13 (i) *NO PRIORITY.*—Nothing in this title requires a
14 Federal land management agency to give preference to rec-
15 reational fishing, hunting, or shooting over other uses of
16 Federal public land or over land or water management pri-
17 orities established by Federal law.

18 (j) *CONSULTATION WITH COUNCILS.*—In fulfilling the
19 duties set forth in this Act, the heads of Federal agencies
20 shall consult with respective advisory councils as established
21 in Executive Order Nos. 12962 and 13443.

22 (k) *AUTHORITY OF THE STATES.*—

23 (1) *IN GENERAL.*—Nothing in this title shall be
24 construed as interfering with, diminishing, or con-
25 flicting with the authority, jurisdiction, or responsi-

1 *bility of any State to exercise primary management.*
 2 *control, or regulation of fish and wildlife under State*
 3 *law (including regulations) on land or water within*
 4 *the State, including on Federal public land.*

5 (2) *FEDERAL LICENSES.*—*Nothing in this title*
 6 *shall be construed to authorize the head of a Federal*
 7 *agency to require a license, fee, or permit to fish,*
 8 *hunt, or trap on land or water in a State, including*
 9 *on Federal public land in the States, except that this*
 10 *paragraph shall not affect the Migratory Bird Stamp*
 11 *requirement set forth in the Migratory Bird Hunting*
 12 *and Conservation Stamp Act (16 U.S.C. 718 et seq.).*

13 **SEC. 404. VOLUNTEER HUNTERS; REPORTS; CLOSURES AND**
 14 **RESTRICTIONS.**

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

16 (1) *PUBLIC LAND.*—*The term “public land”*
 17 *means—*

18 (A) *units of the National Park System;*

19 (B) *National Forest System lands; and*

20 (C) *land and interests in land owned by the*
 21 *United States and under the administrative ju-*
 22 *risdiction of—*

23 (i) *the United States Fish and Wildlife*
 24 *Service; or*

25 (ii) *the Bureau of Land Management.*

1 (2) *SECRETARY.*—The term “Secretary”
2 means—

3 (A) *the Secretary of the Interior and in-*
4 *cludes the Director of the National Park Service,*
5 *with regard to units of the National Park Sys-*
6 *tem;*

7 (B) *the Secretary of the Interior and in-*
8 *cludes the Director of the United States Fish and*
9 *Wildlife Service, with regard to United States*
10 *Fish and Wildlife Service lands and waters;*

11 (C) *the Secretary of the Interior and in-*
12 *cludes the Director of the Bureau of Land Man-*
13 *agement, with regard to Bureau of Land Man-*
14 *agement lands and waters; and*

15 (D) *the Secretary of Agriculture and in-*
16 *cludes the Chief of the Forest Service, with re-*
17 *gard to National Forest System lands.*

18 (3) *VOLUNTEER FROM THE HUNTING COMMU-*
19 *NITY.*—The term “volunteer from the hunting commu-

20 *nity” means a volunteer who holds a valid hunting*
21 *license issued by a State.*

22 (b) *VOLUNTEER HUNTERS.*—When planning wildlife
23 management involving reducing the size of a wildlife popu-
24 lation on public land, the Secretary shall consider the use
25 of and may use volunteers from the hunting community as

1 agents to assist in carrying out wildlife management on
2 public land. The Secretary shall not reject the use of volun-
3 teers from the hunting community as agents without the
4 concurrence of the appropriate State wildlife management
5 authorities.

6 (c) *REPORT.*—Beginning on the second October 1 after
7 the date of the enactment of this Act and biennially on Octo-
8 ber 1 thereafter, the Secretary shall submit to the Committee
9 on Natural Resources of the House of Representatives and
10 the Committee on Energy and Natural Resources of the Sen-
11 ate a report that describes—

12 (1) any public land administered by the Sec-
13 retary that was closed to fishing, hunting, and rec-
14 reational shooting at any time during the preceding
15 year; and

16 (2) the reason for the closure.

17 (d) *CLOSURES OR SIGNIFICANT RESTRICTIONS.*—

18 (1) *IN GENERAL.*—Other than closures estab-
19 lished or prescribed by land planning actions referred
20 to in section 604(e) or emergency closures described in
21 paragraph (2), a permanent or temporary with-
22 drawal, change of classification, or change of manage-
23 ment status of public land that effectively closes or
24 significantly restricts any acreage of public land to
25 access or use for fishing, hunting, recreational shoot-

1 *ing, or activities related to fishing, hunting, or rec-*
2 *reational shooting, or a combination of those activi-*
3 *ties, shall take effect only if, before the date of with-*
4 *drawal or change, the Secretary—*

5 *(A) publishes appropriate notice of the*
6 *withdrawal or change, respectively;*

7 *(B) demonstrates that coordination has oc-*
8 *curred with a State fish and wildlife agency;*
9 *and*

10 *(C) submits to the Committee on Natural*
11 *Resources of the House of Representatives and*
12 *the Committee on Energy and Natural Resources*
13 *of the Senate written notice of the withdrawal or*
14 *change, respectively.*

15 *(2) EMERGENCY CLOSURES.—Nothing in this*
16 *Act prohibits the Secretary from establishing or im-*
17 *plementing emergency closures or restrictions of the*
18 *smallest practicable area to provide for public safety,*
19 *resource conservation, national security, or other pur-*
20 *poses authorized by law. Such an emergency closure*
21 *shall terminate after a reasonable period of time un-*
22 *less converted to a permanent closure consistent with*
23 *this Act.*

1 **SEC. 405. WITHDRAWAL OF EXISTING RULE REGARDING**
 2 **HUNTING AND TRAPPING IN ALASKA.**

3 *Not later than 30 days after the date of the enactment*
 4 *of this Act, the Secretary of the Interior shall withdraw the*
 5 *final rule entitled “Alaska; Hunting and Trapping in Na-*
 6 *tional Preserves” and published in the Federal Register on*
 7 *October 23, 2015 (80 Fed. Reg. 64325), and shall not issue*
 8 *a rule that is substantially similar to that rule.*

9 **TITLE V—FARMER AND HUNTER**
 10 **PROTECTION ACT**

11 **SEC. 501. SHORT TITLE.**

12 *This title may be cited as the “Hunter and Farmer*
 13 *Protection Act”.*

14 **SEC. 502. BAITING OF MIGRATORY GAME BIRDS.**

15 *Section 3 of the Migratory Bird Treaty Act (16 U.S.C.*
 16 *704) is amended by striking subsection (b) and inserting*
 17 *the following:*

18 *“(b) PROHIBITION OF BAITING.—*

19 *“(1) DEFINITIONS.—In this subsection:*

20 *“(A) BAITED AREA.—*

21 *“(i) IN GENERAL.—The term ‘baited*
 22 *area’ means—*

23 *“(I) any area on which salt,*
 24 *grain, or other feed has been placed,*
 25 *exposed, deposited, distributed, or scat-*
 26 *tered, if the salt, grain, or feed could*

1 lure or attract migratory game birds;
2 and

3 “(II) in the case of waterfowl,
4 cranes (family Gruidae), and coots
5 (family Rallidae), a standing,
6 unharvested crop that has been manip-
7 ulated through activities such as mow-
8 ing, discing, or rolling, unless the ac-
9 tivities are normal agricultural prac-
10 tices.

11 “(ii) EXCLUSIONS.—An area shall not
12 be considered to be a ‘baited area’ if the
13 area—

14 “(I) has been treated with a nor-
15 mal agricultural practice;

16 “(II) has standing crops that have
17 not been manipulated; or

18 “(III) has standing crops that
19 have been or are flooded.

20 “(B) BAITING.—The term ‘baiting’ means
21 the direct or indirect placing, exposing, depos-
22 iting, distributing, or scattering of salt, grain, or
23 other feed that could lure or attract migratory
24 game birds to, on, or over any areas on which

1 *a hunter is attempting to take migratory game*
2 *birds.*

3 “(C) *MIGRATORY GAME BIRD.*—*The term*
4 *‘migratory game bird’ means migratory bird*
5 *species—*

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

9 “(ii) *for which open seasons are pre-*
10 *scribed by the Secretary of the Interior.*

11 “(D) *NORMAL AGRICULTURAL PRACTICE.*—

12 “(i) *IN GENERAL.*—*The term ‘normal*
13 *agricultural practice’ means any practice*
14 *in one annual growing season that—*

15 “(I) *is carried out in order to*
16 *produce a marketable crop, including*
17 *planting, harvest, postharvest, or soil*
18 *conservation practices; and*

19 “(II) *is recommended for the suc-*
20 *cessful harvest of a given crop by the*
21 *applicable State office of the Coopera-*
22 *tive Extension System of the Depart-*
23 *ment of Agriculture, in consultation*
24 *with, and if requested, the concurrence*

1 of, the head of the applicable State de-
2 partment of fish and wildlife.

3 “(ii) INCLUSIONS.—

4 “(I) IN GENERAL.—Subject to
5 subclause (II), the term ‘normal agri-
6 cultural practice’ includes the destruc-
7 tion of a crop in accordance with prac-
8 tices required by the Federal Crop In-
9 surance Corporation for agricultural
10 producers to obtain crop insurance
11 under the Federal Crop Insurance Act
12 (7 U.S.C. 1501 et seq.) on land on
13 which a crop during the current or im-
14 mediately preceding crop year was not
15 harvestable due to a natural disaster
16 (including any hurricane, storm, tor-
17 nado, flood, high water, wind-driven
18 water, tidal wave, tsunami, earth-
19 quake, volcanic eruption, landslide,
20 mudslide, drought, fire, snowstorm, or
21 other catastrophe that is declared a
22 major disaster by the President in ac-
23 cordance with section 401 of the Robert
24 T. Stafford Disaster Relief and Emer-

1 *gency Assistance Act (42 U.S.C.*
2 *5170)).*

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

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

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

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

23 “(B) *to place or direct the placement of bait*
24 *on or adjacent to an area for the purpose of*
25 *causing, inducing, or allowing any person to*

1 take or attempt to take any migratory game bird
2 by baiting or on or over the baited area.

3 “(3) *REGULATIONS.*—The Secretary of the Inte-
4 rior may promulgate regulations to implement this
5 subsection.”.

6 **TITLE VI—TRANSPORTING BOWS**
7 **ACROSS NATIONAL PARK**
8 **SERVICE LANDS**

9 **SEC. 601. SHORT TITLE.**

10 This title may be cited as the “Hunter Access Cor-
11 ridors Act”.

12 **SEC. 602. BOWHUNTING OPPORTUNITY AND WILDLIFE**
13 **STEWARDSHIP.**

14 (a) *IN GENERAL.*—Subchapter II of chapter 1015 of
15 title 54, United States Code, is amended by adding at the
16 end the following:

17 **“§ 101513. Hunter access corridors**

18 “(a) *DEFINITIONS.*—In this section:

19 “(1) *NOT READY FOR IMMEDIATE USE.*—The
20 term ‘not ready for immediate use’ means—

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

24 “(B) with respect to a crossbow, uncocked.

1 “(2) *VALID HUNTING LICENSE.*—The term ‘valid
2 *hunting license*’ means a State-issued hunting license
3 that authorizes an individual to hunt on private or
4 public land adjacent to the System unit in which the
5 individual is located while in possession of a bow or
6 crossbow that is not ready for immediate use.

7 “(b) *TRANSPORTATION AUTHORIZED.*—

8 “(1) *IN GENERAL.*—The Director shall not re-
9 quire a permit for, or promulgate or enforce any reg-
10 ulation that prohibits an individual from trans-
11 porting bows and crossbows that are not ready for
12 immediate use across any System unit if—

13 “(A) in the case of an individual traversing
14 the System unit on foot—

15 “(i) the individual is not otherwise
16 prohibited by law from possessing the bows
17 and crossbows;

18 “(ii) the bows or crossbows are not
19 ready for immediate use throughout the pe-
20 riod during which the bows or crossbows are
21 transported across the System unit;

22 “(iii) the possession of the bows and
23 crossbows is in compliance with the law of
24 the State in which the System unit is lo-
25 cated; and

1 “(iv)(I) the individual possesses a
2 valid hunting license;

3 “(II) the individual is traversing the
4 System unit en route to a hunting access
5 corridor established under subsection (c)(1);
6 or

7 “(III) the individual is traversing the
8 System unit in compliance with any other
9 applicable regulations or policies; or

10 “(B) the bows or crossbows are not ready
11 for immediate use and remain inside a vehicle.

12 “(2) ENFORCEMENT.—Nothing in this subsection
13 limits the authority of the Director to enforce laws
14 (including regulations) prohibiting hunting or the
15 taking of wildlife in any System unit.

16 “(c) ESTABLISHMENT OF HUNTER ACCESS COR-
17 RIDORS.—

18 “(1) IN GENERAL.—On a determination by the
19 Director under paragraph (2), the Director may es-
20 tablish and publish (in accordance with section 1.5 of
21 title 36, Code of Federal Regulations (or a successor
22 regulation)), on a publicly available map, hunter ac-
23 cess corridors across System units that are used to ac-
24 cess public land that is—

25 “(A) contiguous to a System unit; and

1 “(B) open to hunting.

2 “(2) *DETERMINATION BY DIRECTOR.*—The deter-
3 mination referred to in paragraph (1) is a deter-
4 mination that the hunter access corridor would pro-
5 vide wildlife management or visitor experience bene-
6 fits within the boundary of the System unit in which
7 the hunter access corridor is located.

8 “(3) *HUNTING SEASON.*—The hunter access cor-
9 ridors shall be open for use during hunting seasons.

10 “(4) *EXCEPTION.*—The Director may establish
11 limited periods during which access through the hun-
12 ter access corridors is closed for reasons of public safe-
13 ty, administration, or compliance with applicable
14 law. Such closures shall be clearly marked with signs
15 and dates of closures, and shall not include gates,
16 chains, walls, or other barriers on the hunter access
17 corridor.

18 “(5) *IDENTIFICATION OF CORRIDORS.*—The Di-
19 rector shall—

20 “(A) make information regarding hunter
21 access corridors available on the individual
22 website of the applicable System unit; and

23 “(B) provide information regarding any
24 processes established by the Director for trans-

1 porting legally taken game through individual
2 hunter access corridors.

3 “(6) *REGISTRATION; TRANSPORTATION OF*
4 *GAME.—The Director may—*

5 “(A) provide registration boxes to be located
6 at the trailhead of each hunter access corridor for
7 self-registration;

8 “(B) provide a process for online self-reg-
9 istration; and

10 “(C) allow nonmotorized conveyances to
11 transport legally taken game through a hunter
12 access corridor established under this subsection,
13 including game carts and sleds.

14 “(7) *CONSULTATION WITH STATES.—The Direc-*
15 *tor shall consult with each applicable State wildlife*
16 *agency to identify appropriate hunter access cor-*
17 *ridors.*

18 “(d) *EFFECT.—Nothing in this section—*

19 “(1) diminishes, enlarges, or modifies any Fed-
20 eral or State authority with respect to hunting, rec-
21 reational shooting, or any other recreational activities
22 within the boundaries of a System unit; or

23 “(2) authorizes—

24 “(A) the establishment of new trails in Sys-
25 tem units; or

1 “(B) authorizes individuals to access areas
2 in System units, on foot or otherwise, that are
3 not open to such access.

4 “(e) NO MAJOR FEDERAL ACTION.—

5 “(1) IN GENERAL.—Any action taken under this
6 section shall not be considered a major Federal action
7 significantly affecting the quality of the human envi-
8 ronment under the National Environmental Policy
9 Act of 1969 (42 U.S.C. 4321 et seq.).

10 “(2) NO ADDITIONAL ACTION REQUIRED.—No
11 additional identification, analyses, or consideration
12 of environmental effects (including cumulative envi-
13 ronmental effects) is necessary or required with re-
14 spect to an action taken under this section.”.

15 (b) CLERICAL AMENDMENT.—The table of sections for
16 title 54, United States Code, is amended by inserting after
17 the item relating to section 101512 the following:

 “101513. Hunter access corridors.”.

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

20 **SEC. 701. 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 VIII—STATE APPROVAL OF**
2 **FISHING RESTRICTION**

3 **SEC. 801. STATE OR TERRITORIAL APPROVAL OF RESTRIC-**
4 **TION OF RECREATIONAL OR COMMERCIAL**
5 **FISHING ACCESS TO CERTAIN STATE OR TER-**
6 **RITORIAL WATERS.**

7 (a) *APPROVAL REQUIRED.*—*The Secretary of the Inte-*
8 *rior and the Secretary of Commerce shall not restrict rec-*
9 *reational or commercial fishing access to any State or terri-*
10 *torial marine waters or Great Lakes waters within the ju-*
11 *risdiction of the National Park Service or the Office of Na-*
12 *tional Marine Sanctuaries, respectively, unless those restric-*
13 *tions are developed in coordination with, and approved by,*
14 *the fish and wildlife management agency of the State or*
15 *territory that has fisheries management authority over those*
16 *waters.*

17 (b) *DEFINITION.*—*In this section, the term “marine*
18 *waters” includes coastal waters and estuaries.*

19 **TITLE IX—OPEN BOOK ON**
20 **EQUAL ACCESS TO JUSTICE**

21 **SEC. 901. SHORT TITLE.**

22 *This title may be cited as the “Open Book on Equal*
23 *Access to Justice Act”.*

1 **SEC. 902. MODIFICATION OF EQUAL ACCESS TO JUSTICE**
2 **PROVISIONS.**

3 (a) *AGENCY PROCEEDINGS.*—Section 504 of title 5,
4 *United States Code*, is amended—

5 (1) in subsection (c)(1), by striking “, *United*
6 *States Code*”;

7 (2) by redesignating subsection (f) as subsection
8 (h);

9 (3) by striking subsection (e); and

10 (4) by inserting after subsection (d) the fol-
11 *lowing:*

12 “(e) *The Chairman of the Administrative Conference*
13 *of the United States shall create and maintain online a*
14 *searchable database containing the following information*
15 *with respect to each award of fees and other expenses under*
16 *this section:*

17 “(1) *The case name and number of the adversary*
18 *adjudication, if available.*

19 “(2) *The name of the agency involved in the ad-*
20 *versary adjudication.*

21 “(3) *A description of the claims in the adversary*
22 *adjudication.*

23 “(4) *The name of each party to whom the award*
24 *was made, as such party is identified in the order or*
25 *other agency document making the award.*

26 “(5) *The amount of the award.*

1 “(6) *The basis for the finding that the position*
2 *of the agency concerned was not substantially justi-*
3 *fied.*

4 “(f) *The online searchable database described in sub-*
5 *section (e) may not reveal any information the disclosure*
6 *of which is prohibited by law or court order.*

7 “(g) *The head of each agency shall provide to the*
8 *Chairman of the Administrative Conference of the United*
9 *States, no later than 60 days following the Chairman’s re-*
10 *quest, all information requested by the Chairman to comply*
11 *with the requirements of subsections (e) and (f).”.*

12 (b) *COURT CASES.*—Section 2412(d) of title 28, United
13 States Code, is amended by adding at the end the following:

14 “(5) *The Chairman of the Administrative Conference*
15 *shall create and maintain online a searchable database con-*
16 *taining the following information with respect to each*
17 *award of fees and other expenses under this section:*

18 “(A) *The case name and number.*

19 “(B) *The name of the agency involved in the*
20 *case.*

21 “(C) *The name of each party to whom the award*
22 *was made, as such party is identified in the order or*
23 *other court document making the award.*

24 “(D) *A description of the claims in the case.*

25 “(E) *The amount of the award.*

1 “(F) The basis for the finding that the position
2 of the agency concerned was not substantially justi-
3 fied.

4 “(6) The online searchable database described in para-
5 graph (5) may not reveal any information the disclosure
6 of which is prohibited by law or court order.

7 “(7) The head of each agency (including the Attorney
8 General of the United States) shall provide to the Chairman
9 of the Administrative Conference of the United States, no
10 later than 60 days following the Chairman’s request, all in-
11 formation requested by the Chairman to comply with the
12 requirements of paragraphs (5) and (6).”.

13 (c) *CLERICAL AMENDMENTS.*—Section 2412 of title 28,
14 United States Code, is amended—

15 (1) in subsection (d)(3), by striking “United
16 States Code,”; and

17 (2) in subsection (e)—

18 (A) by striking “of section 2412 of title 28,
19 United States Code,” and inserting “of this sec-
20 tion”; and

21 (B) by striking “of such title” and inserting
22 “of this title”.

23 (d) *EFFECTIVE DATE.*—

24 (1) *IN GENERAL.*—The amendments made by
25 subsections (a) and (b) shall first apply with respect

1 to awards of fees and other expenses that are made on
2 or after the date of the enactment of this Act.

3 (2) *ONLINE DATABASES.*—The online databases
4 required by section 504(e) of title 5, United States
5 Code, and section 2412(d)(5) of title 28, United States
6 Code, shall be established as soon as practicable after
7 the date of the enactment of this Act, but in no case
8 later than 1 year after the date of the enactment of
9 this Act.

10 **TITLE X—GOOD SAMARITAN**
11 **SEARCH AND RECOVERY**

12 **SEC. 1001. SHORT TITLE.**

13 This title may be cited as the “Good Samaritan Search
14 and Recovery Act”.

15 **SEC. 1002. EXPEDITED ACCESS TO CERTAIN FEDERAL LAND.**

16 (a) *DEFINITIONS.*—In this section:

17 (1) *ELIGIBLE.*—The term “eligible”, with respect
18 to an organization or individual, means that the or-
19 ganization or individual, respectively, is—

20 (A) acting in a not-for-profit capacity; and

21 (B) composed entirely of members who, at
22 the time of the good Samaritan search-and-recov-
23 ery mission, have attained the age of majority
24 under the law of the State where the mission
25 takes place.

1 (2) *GOOD SAMARITAN SEARCH-AND-RECOVERY*
2 *MISSION.*—*The term “good Samaritan search-and-re-*
3 *covery mission” means a search conducted by an eli-*
4 *gible organization or individual for one or more miss-*
5 *ing individuals believed to be deceased at the time*
6 *that the search is initiated.*

7 (3) *SECRETARY.*—*The term “Secretary” means*
8 *the Secretary of the Interior or the Secretary of Agri-*
9 *culture, as applicable.*

10 (b) *PROCESS.*—

11 (1) *IN GENERAL.*—*Each Secretary shall develop*
12 *and implement a process to expedite access to Federal*
13 *land under the administrative jurisdiction of the Sec-*
14 *retary for eligible organizations and individuals to*
15 *request access to Federal land to conduct good Samar-*
16 *itan search-and-recovery missions.*

17 (2) *INCLUSIONS.*—*The process developed and im-*
18 *plemented under this subsection shall include provi-*
19 *sions to clarify that—*

20 (A) *an eligible organization or individual*
21 *granted access under this section—*

22 (i) *shall be acting for private purposes;*

23 *and*

24 (ii) *shall not be considered to be a Fed-*
25 *eral volunteer;*

1 (B) an eligible organization or individual
2 conducting a good Samaritan search-and-recov-
3 ery mission under this section shall not be con-
4 sidered to be a volunteer under section 102301(c)
5 of title 54, United States Code;

6 (C) chapter 171 of title 28, United States
7 Code (commonly known as the “Federal Tort
8 Claims Act”), shall not apply to an eligible orga-
9 nization or individual carrying out a privately
10 requested good Samaritan search-and-recovery
11 mission under this section; and

12 (D) chapter 81 of title 5, United States
13 Code (commonly known as the “Federal Employ-
14 ees’ Compensation Act”), shall not apply to an
15 eligible organization or individual conducting a
16 good Samaritan search-and-recovery mission
17 under this section, and the conduct of the good
18 Samaritan search-and-recovery mission shall not
19 constitute civilian employment.

20 (c) *RELEASE OF FEDERAL GOVERNMENT FROM LI-*
21 *ABILITY.*—The Secretary shall not require an eligible orga-
22 *nization or individual to have liability insurance as a con-*
23 *dition of accessing Federal land under this section, if the*
24 *eligible organization or individual—*

1 (1) *acknowledges and consents, in writing, to the*
2 *provisions described in subparagraphs (A) through*
3 *(D) of subsection (b)(2); and*

4 (2) *signs a waiver releasing the Federal Govern-*
5 *ment from all liability relating to the access granted*
6 *under this section and agrees to indemnify and hold*
7 *harmless the United States from any claims or law-*
8 *suits arising from any conduct by the eligible organi-*
9 *zation or individual on Federal land.*

10 (d) *APPROVAL AND DENIAL OF REQUESTS.—*

11 (1) *IN GENERAL.—The Secretary shall notify an*
12 *eligible organization or individual of the approval or*
13 *denial of a request by the eligible organization or in-*
14 *dividual to carry out a good Samaritan search-and-*
15 *recovery mission under this section by not later than*
16 *48 hours after the request is made.*

17 (2) *DENIALS.—If the Secretary denies a request*
18 *from an eligible organization or individual to carry*
19 *out a good Samaritan search-and-recovery mission*
20 *under this section, the Secretary shall notify the eligi-*
21 *ble organization or individual of—*

22 (A) *the reason for the denial of the request;*

23 *and*

1 (B) any actions that the eligible organiza-
2 tion or individual can take to meet the require-
3 ments for the request to be approved.

4 (e) *PARTNERSHIPS*.—Each Secretary shall develop
5 search-and-recovery-focused partnerships with search-and-
6 recovery organizations—

7 (1) to coordinate good Samaritan search-and-re-
8 covery missions on Federal land under the adminis-
9 trative jurisdiction of the Secretary; and

10 (2) to expedite and accelerate good Samaritan
11 search-and-recovery mission efforts for missing indi-
12 viduals on Federal land under the administrative ju-
13 risdiction of the Secretary.

14 (f) *REPORT*.—Not later than 180 days after the date
15 of enactment of this Act, the Secretaries shall submit to
16 Congress a joint report describing—

17 (1) plans to develop partnerships described in
18 subsection (e)(1); and

19 (2) efforts carried out to expedite and accelerate
20 good Samaritan search-and-recovery mission efforts
21 for missing individuals on Federal land under the ad-
22 ministrative jurisdiction of each Secretary pursuant
23 to subsection (e)(2).

1 **TITLE XI—INTERSTATE TRANS-**
2 **PORTATION OF FIREARMS OR**
3 **AMMUNITION**

4 **SEC. 1101. INTERSTATE TRANSPORTATION OF FIREARMS**
5 **OR AMMUNITION.**

6 (a) *IN GENERAL.*—Section 926A of title 18, United
7 States Code, is amended to read as follows:

8 **“§ 926A. Interstate transportation of firearms or am-**
9 **munition**

10 “(a) Notwithstanding any provision of any law, rule,
11 or regulation of a State or any political subdivision thereof:

12 “(1) A person who is not prohibited by this
13 chapter from possessing, transporting, shipping, or
14 receiving a firearm or ammunition shall be entitled
15 to transport a firearm for any lawful purpose from
16 any place where the person may lawfully possess,
17 carry, or transport the firearm to any other such
18 place if, during the transportation, the firearm is un-
19 loaded, and—

20 “(A) if the transportation is by motor vehi-
21 cle, the firearm is—

22 “(i) not directly accessible from the
23 passenger compartment of the vehicle;

24 “(ii) in a locked container other than
25 the glove compartment or console; or

1 “(iii) secured by a secure gun storage
2 or safety device; or

3 “(B) if the transportation is by other
4 means, the firearm is in a locked container or se-
5 cured by a secure gun storage or safety device.

6 “(2) A person who is not prohibited by this
7 chapter from possessing, transporting, shipping, or
8 receiving a firearm or ammunition shall be entitled
9 to transport ammunition for any lawful purpose from
10 any place where the person may lawfully possess,
11 carry, or transport the ammunition, to any other
12 such place if, during the transportation, the ammuni-
13 tion is not loaded into a firearm, and—

14 “(A) if the transportation is by motor vehi-
15 cle, the ammunition is—

16 “(i) not directly accessible from the
17 passenger compartment of the vehicle; or

18 “(ii) is in a locked container other
19 than the glove compartment or console; or

20 “(B) if the transportation is by other
21 means, the ammunition is in a locked container.

22 “(b) In subsection (a), the term ‘transport’ includes
23 staying in temporary lodging overnight, stopping for food,
24 fuel, vehicle maintenance, an emergency, medical treatment,
25 and any other activity incidental to the transport.

1 “(c)(1) *A person who is transporting a firearm or am-*
2 *munition may not be arrested or otherwise detained for vio-*
3 *lation of any law or any rule or regulation of a State or*
4 *any political subdivision thereof related to the possession,*
5 *transportation, or carrying of firearms, unless there is*
6 *probable cause to believe that the person is doing so in a*
7 *manner not provided for in subsection (a).*

8 “(2) *When a person asserts this section as a defense*
9 *in a criminal proceeding, the prosecution shall bear the bur-*
10 *den of proving, beyond a reasonable doubt, that the conduct*
11 *of the person did not satisfy the conditions set forth in sub-*
12 *section (a).*

13 “(3) *When a person successfully asserts this section as*
14 *a defense in a criminal proceeding, the court shall award*
15 *the prevailing defendant a reasonable attorney’s fee.*

16 “(d)(1) *A person who is deprived of any right, privi-*
17 *lege, or immunity secured by this section, section 926B or*
18 *926C, under color of any statute, ordinance, regulation, cus-*
19 *tom, or usage of any State or any political subdivision*
20 *thereof, may bring an action in any appropriate court*
21 *against any other person, including a State or political sub-*
22 *division thereof, who causes the person to be subject to the*
23 *deprivation, for damages and other appropriate relief.*

24 “(2) *The court shall award a plaintiff prevailing in*
25 *an action brought under paragraph (1) damages and such*

1 *other relief as the court deems appropriate, including a rea-*
 2 *sonable attorney's fee."*

3 (b) *CLERICAL AMENDMENT.*—*The table of sections for*
 4 *such chapter is amended in the item relating to section*
 5 *926A by striking "firearms" and inserting "firearms or*
 6 *ammunition".*

7 **TITLE XII—POLAR BEAR CON-**
 8 **SERVATION AND FAIRNESS**
 9 **ACT**

10 **SEC. 1201. SHORT TITLE.**

11 *This title may be cited as the "Polar Bear Conserva-*
 12 *tion and Fairness Act".*

13 **SEC. 1202. PERMITS FOR IMPORTATION OF POLAR BEAR**
 14 **TROPHIES TAKEN IN SPORT HUNTS IN CAN-**
 15 **ADA.**

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

19 *"(D)(i) The Secretary of the Interior shall, expe-*
 20 *ditiously after the expiration of the applicable 30-day*
 21 *period under subsection (d)(2), issue a permit for the*
 22 *importation of any polar bear part (other than an in-*
 23 *ternal organ) from a polar bear taken in a sport hunt*
 24 *in Canada to any person—*

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

4 “(II) who has submitted, in support of a
5 permit application submitted before May 15,
6 2008, proof that the polar bear was legally har-
7 vested by the person before May 15, 2008, from
8 a polar bear population from which a sport-
9 hunted trophy could be imported before that date
10 in accordance with section 18.30(i) of title 50,
11 Code of Federal Regulations.

12 “(i) The Secretary shall issue permits under
13 clause (i)(I) without regard to subparagraphs (A) and
14 (C)(ii) of this paragraph, subsection (d)(3), and sec-
15 tions 101 and 102. Sections 101(a)(3)(B) and
16 102(b)(3) shall not apply to the importation of any
17 polar bear part authorized by a permit issued under
18 clause (i)(I). This clause shall not apply to polar bear
19 parts that were imported before June 12, 1997.

20 “(iii) The Secretary shall issue permits under
21 clause (i)(II) without regard to subparagraph (C)(ii)
22 of this paragraph or subsection (d)(3). Sections
23 101(a)(3)(B) and 102(b)(3) shall not apply to the im-
24 portation of any polar bear part authorized by a per-
25 mit issued under clause (i)(II). This clause shall not

1 (b) *APPLICATION.*—The amendment made by sub-
 2 section (a) shall not apply with respect to any specific land
 3 acquisition required by contract or other agreement entered
 4 into before the date of enactment of this Act.

5 **SEC. 1304. ENHANCED REPORT ON EXPENDITURES.**

6 Section 10(2) of the North American Wetlands Con-
 7 servation Act (16 U.S.C. 4409(2)) is amended to read as
 8 follows:

9 “(2) an annual assessment of the status of wet-
 10 lands conservation projects, including an accounting
 11 of—

12 “(A) expenditures by Federal, State, and
 13 other United States entities;

14 “(B) expenditures made for fee-simple ac-
 15 quisition of Federal lands in the United States;
 16 and

17 “(C) expenditures by Canadian and Mexi-
 18 can sources to carry out wetland projects funded
 19 under this Act.”.

20 **TITLE XIV—GRAY WOLVES**

21 **SEC. 1401. REISSUANCE OF FINAL RULES RELATING TO**
 22 **GRAY WOLVES IN THE WESTERN GREAT**
 23 **LAKES AND THE STATE OF WYOMING.**

24 (a) *IN GENERAL.*—Notwithstanding any other provi-
 25 sion of law, not later than 60 days after the date of enact-

1 ment of this Act, the Secretary of the Interior shall re-
2 issue—

3 (1) the final rule entitled “Endangered and
4 Threatened Wildlife and Plants; Revising the Listing
5 of the Gray Wolf (*Canis lupus*) in the Western Great
6 Lakes” (76 Fed. Reg. 81666 (December 28, 2011));
7 and

8 (2) the final rule entitled “Endangered and
9 Threatened Wildlife and Plants; Removal of the Gray
10 Wolf in Wyoming From the Federal List of Endan-
11 gered and Threatened Wildlife and Removal of the
12 Wyoming Wolf Population’s Status as an Experi-
13 mental Population” (77 Fed. Reg. 55530 (September
14 10, 2012)).

15 (b) *NO JUDICIAL REVIEW.*—The reissuance of the final
16 rules described in subsection (a) shall not be subject to judi-
17 cial review.

18 **TITLE XV—HEARING**
19 **PROTECTION**

20 *SEC. 1501. SHORT TITLE.*

21 This title may be cited as the “Hearing Protection
22 Act”.

1 **SEC. 1502. EQUAL TREATMENT OF SILENCERS AND FIRE-**
2 **ARMS.**

3 (a) *IN GENERAL.*—Section 5845(a) of the Internal
4 Revenue Code of 1986 is amended by striking “(7) any si-
5 lencer” and all that follows through “; and (8)” and insert-
6 ing “and (7)”.

7 (b) *EFFECTIVE DATE.*—The amendment made by this
8 section shall apply to calendar quarters beginning more
9 than 90 days after the date of the enactment of this Act.

10 **SEC. 1503. TREATMENT OF CERTAIN SILENCERS.**

11 Section 5841 of the Internal Revenue Code of 1986 is
12 amended by adding at the end the following:

13 “(f) *FIREARM SILENCERS.*—A person acquiring or
14 possessing a firearm silencer in accordance with chapter 44
15 of title 18, United States Code, shall be treated as meeting
16 any registration and licensing requirements of the National
17 Firearms Act with respect to such silencer.”.

18 **SEC. 1504. PREEMPTION OF CERTAIN STATE LAWS IN RELA-**
19 **TION TO FIREARM SILENCERS.**

20 Section 927 of title 18, United States Code, is amended
21 by adding at the end the following: “Notwithstanding the
22 preceding sentence, a law of a State or a political subdivi-
23 sion of a State that imposes a tax, other than a generally
24 applicable sales or use tax, on making, transferring, using,
25 possessing, or transporting a firearm silencer in or affecting
26 interstate or foreign commerce, or imposes a marking, rec-

1 ordkeeping or registration requirement with respect to such
2 a firearm silencer, shall have no force or effect.”.

3 **SEC. 1505. DESTRUCTION OF RECORDS.**

4 Not later than 365 days after the date of the enactment
5 of this Act, the Attorney General shall destroy any registra-
6 tion of a silencer maintained in the National Firearms
7 Registration and Transfer Record pursuant to section 5841
8 of the Internal Revenue Code of 1986, any application to
9 transfer filed under section 5812 of the Internal Revenue
10 Code of 1986 that identifies the transferee of a silencer, and
11 any application to make filed under section 5822 of the In-
12 ternal Revenue Code of 1986 that identifies the maker of
13 a silencer.

14 **SEC. 1506. AMENDMENTS TO TITLE 18, UNITED STATES**
15 **CODE.**

16 Title 18, United States Code, is amended—

17 (1) in section 921(a), by striking paragraph (24)
18 and inserting the following:

19 “(24)(A) The terms ‘firearm silencer’ and ‘firearm
20 muffler’ mean any device for silencing, muffling, or dimin-
21 ishing the report of a portable firearm, including the ‘key-
22 stone part’ of such a device.

23 “(B) The term ‘keystone part’ means, with respect to
24 a firearm silencer or firearm muffler, an externally visible
25 part of a firearm silencer or firearm muffler, without which

1 a device capable of silencing, muffling, or diminishing the
2 report of a portable firearm cannot be assembled, but the
3 term does not include any interchangeable parts designed
4 to mount a firearm silencer or firearm muffler to a portable
5 firearm.”;

6 (2) in section 922(b)—

7 (A) in paragraph (1), by striking “shotgun
8 or rifle” the first place it appears and inserting
9 “shotgun, rifle, firearm silencer or firearm muf-
10 fler”; and

11 (B) in paragraph (3), by striking “rifle or
12 shotgun” and inserting “shotgun, rifle, firearm
13 silencer or firearm muffler”; and

14 (3) in section 923(i)—

15 (A) by striking “Licensed” and inserting
16 the following:

17 “(1) In the case of a firearm other than a firearm si-
18 lencer or firearm muffler, licensed”; and

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

20 “(2) In the case of a firearm silencer or firearm muf-
21 fler, licensed importers and licensed manufacturers shall
22 identify by means of a serial number engraved or cast on
23 the keystone part of the firearm silencer or firearm muffler,
24 in such manner as the Attorney General shall by regula-
25 tions prescribe, each firearm silencer or firearm muffler im-

1 ported or manufactured by such importer or manufacturer,
2 except that, if a firearm silencer or firearm muffler does
3 not have a clearly identifiable keystone part or has multiple
4 keystone parts, licensed importers or licensed manufacturers
5 shall submit a request for a marking variance to the Attor-
6 ney General. The Attorney General shall grant such a re-
7 quest except on showing good cause that marking the fire-
8 arm silencer or firearm muffler as requested would not fur-
9 ther the purposes of this chapter.”.

10 **SEC. 1507. IMPOSITION OF TAX ON FIREARM SILENCERS OR**
11 **FIREARM MUFFLERS.**

12 (a) *IN GENERAL.*—Section 4181 of the Internal Rev-
13 enue Code of 1986 is amended by adding at the end of the
14 list relating to “Articles taxable at 10 percent” the fol-
15 lowing:

16 “Firearm silencers or firearm mufflers.”.

17 (b) *FIREARM SILENCERS; FIREARM MUFFLERS.*—Sec-
18 tion 4181 of such Code is amended by adding at the end
19 the following:

20 “For purposes of this part, the terms ‘firearm silencer’ and
21 ‘firearm muffler’ mean any device for silencing, muffling,
22 or diminishing the report of a portable firearm.”.

23 (c) *CONFORMING AMENDMENTS.*—

24 (1) Section 4181 of such Code is amended by
25 striking “other than pistols and revolvers” and insert-

1 ing “other than articles taxable at 10 percent under
2 this section”.

3 (2) Section 4182(b) of such Code is amended by
4 striking “firearms, pistols, revolvers, shells, and car-
5 tridges” and inserting “articles described in section
6 4181 and”.

7 (3) Section 4182(c)(1) of such Code is amended
8 by striking “or firearm” and inserting “firearm, fire-
9 arm silencer, or firearm muffler,”.

10 (d) *EFFECTIVE DATE.*—The amendments made by this
11 section shall apply to articles sold by the manufacturer,
12 producer, or importer in any calendar quarter beginning
13 more than 90 days after the date of the enactment of this
14 Act.

15 **TITLE XVI—LAWFUL PURPOSE**
16 **AND SELF-DEFENSE**

17 **SEC. 1601. SHORT TITLE.**

18 This Act may be cited as the “Lawful Purpose and
19 Self Defense Act”.

20 **SEC. 1602. ELIMINATION OF AUTHORITY TO RECLASSIFY**
21 **POPULAR RIFLE AMMUNITION AS “ARMOR**
22 **PIERCING AMMUNITION”.**

23 Section 921(a)(17) of title 18, United States Code, is
24 amended—

1 (1) in subparagraph (B)(i), by striking “may be
2 used” and inserting “is designed and intended by the
3 manufacturer or importer for use”;

4 (2) in subparagraph (B)(ii), by inserting “by the
5 manufacturer or importer” before “for use”; and

6 (3) in subparagraph (C), by striking “the Attor-
7 ney General finds is primarily intended to be used for
8 sporting purposes” and inserting “is primarily in-
9 tended by the manufacturer or importer to be used in
10 a rifle or shotgun, a handgun projectile that is de-
11 signed and intended by the manufacturer or importer
12 to be used for hunting, recreational, or competitive
13 shooting”.

14 **SEC. 1603. ELIMINATION OF RESTRICTIONS ON IMPORTA-**
15 **TION OF NON-NATIONAL FIREARMS ACT FIRE-**
16 **ARM OR AMMUNITION THAT MAY OTHERWISE**
17 **BE LAWFULLY POSSESSED AND SOLD IN THE**
18 **UNITED STATES.**

19 (a) *ELIMINATION OF PROHIBITIONS.*—Section 922 of
20 title 18, United States Code, is amended—

21 (1) in subsection (a), by striking paragraph (7)
22 and inserting the following:

23 “(7) for any person to manufacture or import
24 armor piercing ammunition, unless the manufacture
25 or importation of the ammunition—

1 “(A) is for the use of the United States, any
2 department or agency of the United States, any
3 State, or any department, agency, or political
4 subdivision of a State;

5 “(B) is for the purpose of exportation; or

6 “(C) is for the purpose of testing or experi-
7 mentation, and has been authorized by the Attor-
8 ney General;”;

9 (2) in subsection (l), by striking “925(d) of this
10 chapter” and inserting “925”; and

11 (3) by striking subsection (r).

12 (b) *BROADENING OF EXCEPTIONS*.—Section 925 of
13 such title is amended—

14 (1) in subsection (a)(3), by striking “deter-
15 mined” and all that follows through the end and in-
16 serting “intended for the lawful personal use of such
17 member or club.”;

18 (2) in subsection (a)(4), by striking “(A)” and
19 all that follows through “for the” and inserting “in-
20 tended for the lawful”; and

21 (3) by striking subsections (d) through (f) and
22 inserting the following:

23 “(d)(1) Within 30 days after the Attorney General re-
24 ceives an application therefor, the Attorney General shall
25 authorize a firearm or ammunition to be imported or

1 brought into the United States or any possession thereof
2 if—

3 “(A) the firearm or ammunition is being im-
4 ported or brought in for scientific, research, testing, or
5 experimentation purposes;

6 “(B) the firearm is an unserviceable firearm
7 (other than a machine gun as defined in section
8 5845(b) of the Internal Revenue Code of 1986 that is
9 readily restorable to firing condition) imported or
10 brought in as a curio or museum piece;

11 “(C) the firearm is not a firearm as defined in
12 section 5845(a) of the Internal Revenue Code of 1986;

13 “(D) the ammunition is not armor piercing am-
14 munition (as defined in section 921(a)(17)(B) of this
15 title), unless subparagraph (A), (E), (F), or (G) ap-
16 plies;

17 “(E) the firearm or ammunition is being im-
18 ported or brought in for the use of the United States,
19 any department or agency of the United States, any
20 State, or any department, agency, or political sub-
21 division of a State;

22 “(F) the firearm or ammunition is being im-
23 ported or brought in for the purpose of exportation;

24 “(G) the firearm or ammunition was previously
25 taken out of the United States or a possession thereof

1 by the person who is bringing in the firearm or am-
2 munition; or

3 “(H) the firearm is a firearm defined as curio
4 or relic by the Attorney General under section
5 921(a)(13) of this title.

6 “(2) Within 30 days after the Attorney General re-
7 ceives an application therefor, the Attorney General shall
8 permit the conditional importation or bringing in of a fire-
9 arm or ammunition for examination and testing in connec-
10 tion with the making of a determination as to whether the
11 importation or bringing in of the firearm or ammunition
12 will be allowed under this subsection.

13 “(3) The Attorney General shall not authorize, under
14 this subsection, the importation of any firearm the importa-
15 tion of which is prohibited by section 922(p).”.

16 **SEC. 1604. PROTECTION OF SHOTGUNS, SHOTGUN SHELLS,**
17 **AND LARGE CALIBER RIFLES FROM ARBI-**
18 **TRARY CLASSIFICATION AS “DESTRUCTIVE**
19 **DEVICES”.**

20 (a) **AMENDMENTS TO THE NATIONAL FIREARMS**
21 **ACT.**—Section 5845(f) of the Internal Revenue Code of 1986
22 is amended—

23 (1) in paragraph (2), by striking “recognized as
24 particularly suitable for sporting purposes” and in-

1 serting “recognized as suitable for lawful purposes”;

2 and

3 (2) by striking “use solely for sporting purposes”

4 and inserting “use for sporting purposes”.

5 (b) *AMENDMENTS TO TITLE 18, UNITED STATES*

6 *CODE.*—Section 921(a)(4) of title 18, United States Code,

7 *is amended—*

8 (1) in subparagraph (B) of the first sentence, by

9 striking “particularly suitable for sporting” and in-

10 serting “suitable for lawful”; and

11 (2) in the second sentence, by striking “solely”.

12 **SEC. 1605. BROADENING OF THE TEMPORARY INTERSTATE**

13 **TRANSFER PROVISION TO ALLOW TEM-**

14 **PORARY TRANSFERS FOR ALL LAWFUL PUR-**

15 **POSES RATHER THAN JUST FOR “SPORTING**

16 **PURPOSES”.**

17 Section 922 of title 18, United States Code, is amended

18 *in each of subsections (a)(5)(B), (a)(9), and (b)(3)(B), by*

19 *striking “sporting”.*

1 **TITLE XVII—FEDERAL LAND**
2 **TRANSACTION FACILITATION**
3 **ACT REAUTHORIZATION**
4 **(FLTFA)**

5 **SEC. 1701. SHORT TITLE.**

6 *This title may be cited as the “Federal Land Trans-*
7 *action Facilitation Act Reauthorization”.*

8 **SEC. 1702. FEDERAL LAND TRANSACTION FACILITATION**
9 **ACT.**

10 *The Federal Land Transaction Facilitation Act is*
11 *amended—*

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

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

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

19 *(A) in subsection (a), by striking “section*
20 *206” and all that follows through the period at*
21 *the end and inserting the following: “section*
22 *206—*

23 *“(1) to complete appraisals and satisfy other*
24 *legal requirements for the sale or exchange of public*
25 *land identified for disposal under approved land use*

1 *plans under section 202 of the Federal Land Policy*
2 *and Management Act of 1976 (43 U.S.C. 1712);*

3 *“(2) not later than 180 days after the date of the*
4 *enactment of the Federal Land Transaction Facilita-*
5 *tion Act Reauthorization, to establish and make*
6 *available to the public, on the website of the Depart-*
7 *ment of the Interior, a database containing a com-*
8 *prehensive list of all the land referred to in para-*
9 *graph (1); and*

10 *“(3) to maintain the database referred to in*
11 *paragraph (2).”;* and

12 *(B) in subsection (d), by striking “11” and*
13 *inserting “22”;*

14 *(4) by amending section 206(c)(1) (43 U.S.C.*
15 *2305(c)(1)) to read as follows:*

16 *“(1) USE OF FUNDS.—*

17 *“(A) IN GENERAL.—Funds in the Federal*
18 *Land Disposal Account shall be expended, subject*
19 *to appropriation, in accordance with this sub-*
20 *section.*

21 *“(B) PURPOSES.—Except as authorized*
22 *under paragraph (2), funds in the Federal Land*
23 *Disposal Account shall be used for one or more*
24 *of the following purposes:*

1 “(i) To purchase lands or interests
2 therein that are otherwise authorized by law
3 to be acquired and are one or more of the
4 following:

5 “(I) Inholdings.

6 “(II) Adjacent to federally des-
7 ignated areas and contain exceptional
8 resources.

9 “(III) Provide opportunities for
10 hunting, recreational fishing, rec-
11 reational shooting, and other rec-
12 reational activities.

13 “(IV) Likely to aid in the per-
14 formance of deferred maintenance or
15 the reduction of operation and mainte-
16 nance costs or other deferred costs.

17 “(ii) To perform deferred maintenance
18 or other maintenance activities that en-
19 hance opportunities for recreational ac-
20 cess.”;

21 (5) in section 206(c)(2) (43 U.S.C. 2305(c)(2))—

22 (A) by striking subparagraph (A);

23 (B) by redesignating subparagraphs (B),
24 (C), and (D) as subparagraphs (A), (B), and
25 (C), respectively;

1 (C) in subparagraph (C) (as so redesignated
2 by this paragraph)—

3 (i) by striking “PURCHASES” and in-
4 sserting “LAND PURCHASES AND PERFORM-
5 ANCE OF DEFERRED MAINTENANCE ACTIVI-
6 TIES”;

7 (ii) by striking “subparagraph (C)”
8 and inserting “subparagraph (B)”; and

9 (iii) by inserting “for the activities
10 outlined in paragraph (1)” after “gen-
11 erated”; and

12 (D) by adding at the end the following:

13 “(D) Any funds made available under sub-
14 paragraph (C) that are not obligated or ex-
15 pended by the end of the fourth full fiscal year
16 after the date of the sale or exchange of land that
17 generated the funds may be expended in any
18 State.”;

19 (6) in section 206(c)(3) (43 U.S.C. 2305(c)(3))—

20 (A) by inserting after subparagraph (A) the
21 following:

22 “(B) the extent to which the acquisition of
23 the land or interest therein will increase the pub-
24 lic availability of resources for, and facilitate

1 *public access to, hunting, fishing, and other rec-*
2 *reational activities;”*; and

3 (B) *by redesignating subparagraphs (B)*
4 *and (C) as subparagraphs (C) and (D);*

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

7 “(2) *any remaining balance in the account shall*
8 *be deposited in the Treasury and used for deficit re-*
9 *duction, except that in the case of a fiscal year for*
10 *which there is no Federal budget deficit, such*
11 *amounts shall be used to reduce the Federal debt (in*
12 *such manner as the Secretary of the Treasury con-*
13 *siders appropriate).”*; and

14 (8) *in section 207(b) (43 U.S.C. 2306(b))—*

15 (A) *in paragraph (1)—*

16 (i) *by striking “96–568” and inserting*
17 *“96–586”*; and

18 (ii) *by striking “; or” and inserting a*
19 *semicolon;*

20 (B) *in paragraph (2)—*

21 (i) *by inserting “Public Law 105–*
22 *263;” before “112 Stat.”*; and

23 (ii) *by striking the period at the end*
24 *and inserting a semicolon; and*

25 (C) *by adding at the end the following:*

1 “(3) the White Pine County Conservation, Recre-
2 ation, and Development Act of 2006 (Public Law
3 109-432; 120 Stat. 3028);

4 “(4) the Lincoln County Conservation, Recre-
5 ation, and Development Act of 2004 (Public Law
6 108-424; 118 Stat. 2403);

7 “(5) subtitle F of title I of the Omnibus Public
8 Land Management Act of 2009 (16 U.S.C. 1132 note;
9 Public Law 111-11);

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

13 “(7) section 2601 of the Omnibus Public Land
14 Management Act of 2009 (Public Law 111-11; 123
15 Stat. 1108); or

16 “(8) section 2606 of the Omnibus Public Land
17 Management Act of 2009 (Public Law 111-11; 123
18 Stat. 1121).”.

19 **TITLE XVIII—FILM CREWS**

20 **SEC. 1801. ANNUAL PERMIT AND FEE FOR FILM CREWS OF** 21 **5 PERSONS OR FEWER.**

22 Section 100905 of title 54, United States Code, is
23 amended as follows:

24 (1) In subsection (a)—

1 (A) in paragraph (1), by striking “provide
2 a fair return to the United States” and inserting
3 “be sufficient to cover the cost of a film permit
4 and other administrative and personnel costs”;
5 and

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

7 “(3) *FILM CREW OF 5 PERSONS OR FEWER.*—For
8 a commercial film crew of 5 persons or fewer for com-
9 mercial filming activities or similar projects on Fed-
10 eral land and waters administered by the Secretary
11 the Secretary shall—

12 (A) assess an annual fee in an amount
13 sufficient to cover the administrative cost of
14 issuing a permit under this section, but not
15 greater than \$200; and

16 (B) require a permit which shall be valid
17 for commercial filming activities or similar
18 projects that occur in areas designated for public
19 use during public hours on all Federal land and
20 waterways administered by the Secretary for a
21 1-year period beginning on the date of issuance
22 of the permit.”.

23 (2) By striking subsection (b) and redesignating
24 subsections (c), (d), (e), and (f) as subsections (b), (c),
25 (d), and (e), respectively.

1 (3) In subsection (b), as redesignated by this sec-
2 tion, by adding at the end the following:

3 “(3) *STILL PHOTOGRAPHY CREW OF 5 PERSONS*
4 *OR FEWER.—The fee under this paragraph for a still*
5 *photography crew of 5 persons or fewer shall be not*
6 *more than \$200.”.*

7 (4) In subsection (e), as redesignated by this sec-
8 tion—

9 (A) by striking “The Secretary” and insert-
10 ing the following:

11 “(1) *TIMING.—The Secretary*”; and

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

13 “(2) *CRITERIA.—The Secretary shall not con-*
14 *sider subject matter or content as a criterion for*
15 *issuing or denying a permit under this Act.”.*

16 (5) By adding at the end the following:

17 “(f) *EXEMPTION FROM COMMERCIAL FILMING OR*
18 *STILL PHOTOGRAPHY PERMITS AND FEES.—The Secretary*
19 *shall not require persons holding commercial use authoriza-*
20 *tions or special recreation permits to obtain an additional*
21 *permit or pay an additional fee for commercial filming or*
22 *still photography under this section if—*

23 “(1) *the filming or still photography conducted*
24 *is incidental to the permitted activity that is the sub-*

1 *ject of the commercial use authorization or special*
2 *recreation permit; and*

3 “(2) *the holder of the commercial use authoriza-*
4 *tion or special recreation permit is an individual or*
5 *small business concern (within the meaning of section*
6 *3 of the Small Business Act (15 U.S.C. 632)).*

7 “(g) *NEWS GATHERING ACTIVITIES.—For the purposes*
8 *of this section, a news gathering shall not be considered a*
9 *commercial activity.*

10 “(h) *DEFINITIONS.—For the purposes of this section—*

11 “(1) *the term ‘commercial film crew’ means any*
12 *persons present on Federal land or water under the*
13 *jurisdiction of the Secretary who are associated with*
14 *the production of a film;*

15 “(2) *the term ‘news gathering’ means the gath-*
16 *ering, recording, and filming of news and informa-*
17 *tion related to news in any medium; and*

18 “(3) *the term ‘Secretary’ means the Secretary of*
19 *the Interior or the Secretary of Agriculture, as appli-*
20 *cable, with respect to land under the respective juris-*
21 *isdiction of such Secretary.”.*

1 **TITLE XIX—RESPECT FOR STATE**
2 **WILDLIFE MANAGEMENT AU-**
3 **THORITY**

4 **SEC. 1901. AUTHORITY OF THE STATES.**

5 *Nothing in this Act shall be construed as interfering*
6 *with, diminishing, or conflicting with the authority, juris-*
7 *diction, or responsibility of any State to exercise primary*
8 *management, control, or regulation of fish and wildlife*
9 *under State law on land or water within the State, includ-*
10 *ing on Federal land administered by the Bureau of Land*
11 *Management or the Forest Service.*

12 **SEC. 1902. FEDERAL LICENSES.**

13 *Nothing in this Act, shall be construed to authorize the*
14 *head of a Federal agency to require a license, fee, or permit*
15 *to fish, hunt, or trap on land or water in a State, including*
16 *on Federal land in the State, except that this paragraph*
17 *shall not affect the Migratory Bird Stamp requirement set*
18 *forth in the Migratory Bird Hunting and Conservation*
19 *Stamp Act (16 U.S.C. 718 et seq.).*

20 **SEC. 1903. COOPERATION WITH STATE FISH AND WILDLIFE**
21 **AGENCIES ON MANAGEMENT PLANS.**

22 *(a) USE OF STATE FISH AND WILDLIFE DATA AND*
23 *ANALYSES.—The Secretary of the Interior and the Sec-*
24 *retary of Agriculture shall prioritize coordination, consulta-*
25 *tion, and cooperation with the appropriate State fish and*

1 *wildlife agencies and local governments to recognize and*
2 *fully utilize State and local government fish and wildlife*
3 *data and analyses, unless it is determined by the State or*
4 *local government that such data is proprietary or protected*
5 *from disclosure under State law, as a primary source to*
6 *inform—*

7 (1) *land and resource management plans for*
8 *units of the National Forest System developed under*
9 *section 6 of the Forest and Rangeland Renewable Re-*
10 *sources Planning Act of 1974 (16 U.S.C. 1604);*

11 (2) *land use plans developed under section 202*
12 *of the Federal Land Policy and Management Act of*
13 *1976 (43 U.S.C. 1712);*

14 (3) *comprehensive conservation plans developed*
15 *under section 4 of the National Wildlife Refuge Sys-*
16 *tem Administration Act of 1966 (16 U.S.C. 668dd);*

17 (4) *project planning and execution; and*

18 (5) *related natural resource policies and deci-*
19 *sions.*

20 (b) *SHARING DATA.—Federal agencies shall evaluate*
21 *and utilize existing analysis of data on fish and wildlife*
22 *populations prepared by appropriate State or local govern-*
23 *ments and share Federal data with fish and wildlife man-*
24 *agers and local governments.*

1 **TITLE XX—GRAND CANYON**
2 **BISON MANAGEMENT ACT**

3 **SEC. 2001. SHORT TITLE.**

4 *This title may be cited as the “Grand Canyon Bison*
5 *Management Act”.*

6 **SEC. 2002. DEFINITIONS.**

7 *In this title:*

8 (1) *FULL BISON.*—*The term “full bison” means*
9 *all of the remains of a bison after field dressing.*

10 (2) *MANAGEMENT PLAN.*—*The term “manage-*
11 *ment plan” means the management plan published*
12 *under section 2003(a).*

13 (3) *PARK.*—*The term “Park” means the Grand*
14 *Canyon National Park.*

15 (4) *SECRETARY.*—*The term “Secretary” means*
16 *the Secretary of the Interior.*

17 (5) *SKILLED PUBLIC VOLUNTEER.*—*The term*
18 *“skilled public volunteer” means an individual who*
19 *possesses—*

20 (A) *a valid hunting license issued by the*
21 *State of Arizona; and*

22 (B) *such other qualifications as the Sec-*
23 *retary may require, after consultation with the*
24 *Arizona Game and Fish Commission.*

1 **SEC. 2003. BISON MANAGEMENT PLAN FOR GRAND CANYON**
2 **NATIONAL PARK.**

3 (a) *PUBLICATION OF PLAN.*—Not later than 180 days
4 after the date of enactment of this Act, the Secretary shall
5 publish a management plan to reduce, through humane le-
6 thal culling by skilled public volunteers and by other non-
7 lethal means, the population of bison in the Park that the
8 Secretary determines are detrimental to the use of the Park.

9 (b) *REMOVAL OF ANIMAL.*—Notwithstanding section 4
10 of the Act of March 2, 1929 (16 U.S.C. 198c) or any other
11 provision of law, a skilled public volunteer may remove
12 from the Park a full bison harvested in accordance with
13 the management plan.

14 (c) *COORDINATION.*—The Secretary shall coordinate
15 with and obtain written approval from the Arizona Game
16 and Fish Commission regarding the development and final-
17 ization of the management plan and any amendments to
18 the management plan.

19 (d) *NEPA COMPLIANCE.*—In developing the manage-
20 ment plan, the Secretary shall comply with all applicable
21 Federal environmental laws (including regulations), in-
22 cluding the National Environmental Policy Act of 1969 (42
23 U.S.C. 4321 et seq.).

24 (e) *LIMITATION.*—Nothing in this Act applies to the
25 taking of wildlife in the Park for any purpose other than
26 the implementation of the management plan.

1 **TITLE XXI—GUIDES AND**
2 **OUTFITTERS**

3 **SEC. 2101. SHORT TITLE; DEFINITIONS.**

4 (a) *SHORT TITLE.*—*This title may be cited as the*
5 *“Guides and Outfitters Act” or the “GO Act”.*

6 (b) *DEFINITIONS.*—*In this title:*

7 (1) *SECRETARY.*—*The term “Secretary”*
8 *means—*

9 (A) *the Secretary of the Interior, with re-*
10 *spect to a Federal land management agency*
11 *(other than the Forest Service); and*

12 (B) *the Secretary of Agriculture, with re-*
13 *spect to the Forest Service.*

14 (2) *SECRETARIES.*—*The term “Secretaries”*
15 *means the Secretary of the Interior and the Secretary*
16 *of Agriculture acting jointly.*

17 **SEC. 2102. SPECIAL RECREATION PERMIT AND FEE.**

18 *Subsection (h) of section 803 of the Federal Lands*
19 *Recreation Enhancement Act (16 U.S.C. 6802) is amended*
20 *to read as follows:*

21 “(h) **SPECIAL RECREATION PERMIT AND FEE.**—

22 “(1) **IN GENERAL.**—*The Secretary may—*

23 “(A) *issue a special recreation permit for*
24 *Federal recreational lands and waters; and*

1 “(B) charge a special recreation permit fee
2 in connection with the issuance of the permit.

3 “(2) *SPECIAL RECREATION PERMITS.*—The Sec-
4 retary may issue special recreation permits in the fol-
5 lowing circumstances:

6 “(A) For specialized individual and group
7 use of Federal facilities and Federal recreational
8 lands and waters, such as, but not limited to, use
9 of special areas or areas where use is allocated,
10 motorized recreational vehicle use, and group ac-
11 tivities or events.

12 “(B) To recreation service providers who
13 conduct outfitting, guiding, and other recreation
14 services on Federal recreational lands and waters
15 managed by the Forest Service, Bureau of Land
16 Management, Bureau of Reclamation, or the
17 United States Fish and Wildlife Service.

18 “(C) To recreation service providers who
19 conduct recreation or competitive events, which
20 may involve incidental sales on Federal rec-
21 reational lands and waters managed by the For-
22 est Service, Bureau of Land Management, Bu-
23 reau of Reclamation, or the United States Fish
24 and Wildlife Service.

1 “(3) *REDUCTION IN FEDERAL COSTS AND DUPLI-*
2 *CATION OF ANALYSIS.*—

3 “(A) *IN GENERAL.*—*The issuance of a new*
4 *special recreation permit for activities under*
5 *paragraph (2) shall be categorically excluded*
6 *from further analysis and documentation under*
7 *the National Environmental Policy Act of 1969*
8 *(42 U.S.C. 4321 et seq.), if the proposed use is*
9 *the same as or similar to a previously authorized*
10 *use and the Secretary determines that such*
11 *issuance does not have significant environmental*
12 *effects based upon application of the extraor-*
13 *inary circumstances procedures established by*
14 *the Secretary under the National Environmental*
15 *Policy Act of 1969 (42 U.S.C. 4321 et seq.).*

16 “(B) *DEFINITION.*—*For the purposes of this*
17 *paragraph, the term ‘similar’ means—*

18 “(i) *substantially similar in type, na-*
19 *ture, and scope; and*

20 “(ii) *will not result in significant new*
21 *impacts.*

22 “(4) *RELATION TO FEES FOR USE OF HIGHWAYS*
23 *OR ROADS.*—*An entity that pays a special recreation*
24 *permit fee shall not be subject to a road cost-sharing*
25 *fee or a fee for the use of highways or roads that are*

1 *open to private, noncommercial use within the bound-*
2 *aries of any Federal recreational lands or waters, as*
3 *authorized under section 6 of Public Law 88-657 (16*
4 *U.S.C. 537).”.*

5 **SEC. 2103. PERMIT ACROSS MULTIPLE JURISDICTIONS.**

6 (a) *IN GENERAL.*—*In the case of an activity requiring*
7 *permits pursuant to subsection (h) of section 803 of the Fed-*
8 *eral Lands Recreation Enhancement Act (16 U.S.C. 6802)*
9 *for use of lands managed by both the Forest Service and*
10 *the Bureau of Land Management—*

11 (1) *the Secretaries may issue a joint permit*
12 *based upon a single application to both agencies when*
13 *issuance of a joint permit based upon a single appli-*
14 *cation will lower processing and other administration*
15 *costs for the permittee, provided that the permit ap-*
16 *plicant shall have the option to apply for separate*
17 *permits rather than a joint permit; and*

18 (2) *the permit application required under para-*
19 *graph (1) shall be—*

20 (A) *the application required by the lead*
21 *agency; and*

22 (B) *submitted to the lead agency.*

23 (b) *REQUIREMENTS OF THE LEAD AGENCY.*—*The lead*
24 *agency for a permit under subsection (a) shall—*

1 (1) *coordinate with the associated agencies, con-*
2 *sistent with the authority of the Secretaries under sec-*
3 *tion 330 of the Department of the Interior and Re-*
4 *lated Agencies Appropriations Act, 2001 (43 U.S.C.*
5 *1703), to develop and issue the single, joint permit*
6 *that covers the entirety of the trip;*

7 (2) *in processing the joint permit application,*
8 *incorporate the findings, interests, and needs of the*
9 *associated agencies, provided that such coordination*
10 *shall not be subject to cost recovery; and*

11 (3) *complete the permitting process within a rea-*
12 *sonable time after receiving the permit application.*

13 (c) *EFFECT ON REGULATIONS.—Nothing in this sec-*
14 *tion shall alter, expand, or limit the applicability of any*
15 *Federal law (including regulations) to lands administered*
16 *by the relevant Federal agencies.*

17 (d) *DEFINITIONS.—In this section:*

18 (1) *ASSOCIATED AGENCY.—The term “associated*
19 *agency” means an agency that manages the land on*
20 *which the trip of the special recreation permit appli-*
21 *cant will enter after leaving the land managed by the*
22 *lead agency.*

23 (2) *LEAD AGENCY.—The term “lead agency”*
24 *means the agency that manages the land on which the*

1 *trip of the special recreation permit applicant will*
2 *begin.*

3 **SEC. 2104. GUIDELINES AND PERMIT FEE CALCULATION.**

4 *(a) GUIDELINES AND EXCLUSION OF CERTAIN REVE-*
5 *NUES.—The Secretary shall—*

6 *(1) publish guidelines in the Federal Register for*
7 *establishing recreation permit fees; and*

8 *(2) provide appropriate deductions from gross*
9 *revenues used as the basis for the fees established*
10 *under paragraph (1) for—*

11 *(A) revenue from goods, services, and activi-*
12 *ties provided by a recreation service provider*
13 *outside Federal recreational lands and waters,*
14 *such as costs for transportation, lodging, and*
15 *other services before or after a trip; and*

16 *(B) fees to be paid by permit holder under*
17 *applicable law to provide services on other Fed-*
18 *eral lands, if separate permits are issued to that*
19 *permit holder for a single event or trip.*

20 *(b) FEE CONDITIONS.—The fee charged by the Sec-*
21 *retary for a permit issued under section 803(h) of the Fed-*
22 *eral Lands Recreation Enhancement Act (16 U.S.C.*
23 *6802(h)) shall not exceed 3 percent of the recreational serv-*
24 *ice provider's annual gross revenue for activities authorized*
25 *by the permit on Federal lands, plus applicable revenue ad-*

1 *ditions, minus applicable revenue exclusions or a similar*
2 *flat per person fee.*

3 (c) *DISCLOSURE OF FEES.*—*A holder of a special*
4 *recreation permit may inform its customers of the various*
5 *fees charged by the Secretary under section 803(h) of the*
6 *Federal Lands Recreation Enhancement Act (16 U.S.C.*
7 *6802(h)).*

8 **SEC. 2105. USE OF PERMIT FEES FOR PERMIT ADMINISTRA-**
9 **TION.**

10 (a) *DEPOSITS.*—*Subject to subsection (b), revenues*
11 *from special recreation permits issued to recreation service*
12 *providers under subparagraphs (B) and (C) of section*
13 *803(h)(2) of the Federal Lands Recreation Enhancement*
14 *Act (16 U.S.C. 6802(h)(2)) shall be held in special accounts*
15 *established for each specific unit or area for which such rev-*
16 *enues are collected, and shall remain available for expendi-*
17 *ture, without further appropriation, until expended.*

18 (b) *USE OF PERMIT FEES.*—*Revenues from special*
19 *recreation permits issued to recreation service providers*
20 *under subparagraphs (B) and (C) of section 803(h)(2) of*
21 *the Federal Lands Recreation Enhancement Act (16 U.S.C.*
22 *6802(h)(2)) shall be used only—*

23 (1) *to partially offset the Secretary's direct cost*
24 *of administering the permits;*

1 (2) *to improve and streamline the permitting*
2 *process; and*

3 (3) *for related recreation infrastructure and*
4 *other purposes specifically to support recreation ac-*
5 *tivities at the specific site for which use is authorized*
6 *under the permit, after obtaining input from any re-*
7 *lated permittees; provided, however, that the Federal*
8 *Advisory Committee Act (5 U.S.C. App. 1 et seq.)*
9 *shall not apply to any advisory committee or other*
10 *group established to carry out this paragraph.*

11 (c) *LIMITATION ON USE OF FEES.—The Secretary*
12 *may not use any permit fees for biological monitoring on*
13 *Federal recreational lands and waters under the Endan-*
14 *gered Species Act of 1973 (16 U.S.C. 1531 et seq.) for listed*
15 *or candidate species.*

16 **SEC. 2106. ADJUSTMENT TO PERMIT USE REVIEWS.**

17 (a) *IN GENERAL.—In reviewing and adjusting alloca-*
18 *tions of use for priority use permits for special uses of Fed-*
19 *eral recreational lands and waters managed by the Forest*
20 *Service, and in renewing such permits, the Secretary of Ag-*
21 *riculture shall allocate to a permit holder a level of use that*
22 *is no less than the highest amount of actual annual use*
23 *over the reviewed period plus 25 percent, capped at the*
24 *amount of use allocated when the permit was issued unless*
25 *additional capacity is available. The Secretary may assign*

1 *any use remaining after adjusting allocations on a tem-*
2 *porary basis to qualified permit holders.*

3 (b) *WAIVER.*—Use reviews under subsection (a) may
4 *be waived for periods in which circumstances that prevented*
5 *use of assigned capacity, such as weather, fire, natural dis-*
6 *asters, wildlife displacement, business interruptions, insuf-*
7 *ficient availability of hunting and fishing licenses, or when*
8 *allocations on permits include significant shoulder seasons.*
9 *The authorizing office may approve non-use without reduc-*
10 *ing the number of service days assigned to the permit in*
11 *such circumstances at the request of the permit holder. Ap-*
12 *proved non-use may be temporarily assigned to other quali-*
13 *fied permit holders when conditions warrant.*

14 **SEC. 2107. AUTHORIZATION OF TEMPORARY PERMITS FOR**
15 **NEW USES FOR THE FOREST SERVICE AND**
16 **BLM.**

17 *Not later than 180 days after the date of the enactment*
18 *of this Act, the Secretary of Agriculture and the Secretary*
19 *of the Interior shall establish and implement a program to*
20 *authorize temporary permits for new recreational uses of*
21 *Federal recreational lands and waters managed by the For-*
22 *est Service or the Bureau of Land Management, respec-*
23 *tively, and to provide for the conversions of such temporary*
24 *permits to long-term permits after 2 years of satisfactory*
25 *operation. The issuance and conversion of such permits*

1 shall be subject to subsection (h)(3) of section 803 of the
2 Federal Lands Recreation Enhancement Act (16 U.S.C.
3 6802).

4 **SEC. 2108. INDEMNIFICATION REQUIREMENTS.**

5 (a) *INDEMNIFICATION*.—A permit holder that is pro-
6 hibited by the State from providing indemnification to the
7 Federal Government shall be considered to be in compliance
8 with indemnification requirements of the Department of the
9 Interior and the Department of Agriculture if the permit
10 holder carries the required minimum amount of liability
11 insurance coverage or is self-insured for the same minimum
12 amount.

13 (b) *EXCULPATORY AGREEMENTS*.—The Secretary shall
14 not implement, administer or enforce any regulation or pol-
15 icy prohibiting the use of exculpatory agreements between
16 recreation service providers and their customers for services
17 provided under a special recreation permit.

18 **SEC. 2109. STREAMLINING OF PERMITTING PROCESS.**

19 (a) *REGULATIONS*.—Not later than 180 days after the
20 date of the enactment of this Act, the Secretary of Agri-
21 culture shall revise part 251, subpart B, of title 36 Code
22 of Federal Regulations, and the Secretary of the Interior
23 shall revise subpart 2932, of title 43, Code of Federal Regu-
24 lations, to streamline the processes for the issuance and re-

1 *renewal of outfitter and guide special use permits. Such*
2 *amended regulations shall—*

3 (1) *shorten application processing times and*
4 *minimize application and administration costs; and*

5 (2) *provide for the use of programmatic environ-*
6 *mental assessments and categorical exclusions for en-*
7 *vironmental reviews under the National Environ-*
8 *mental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for*
9 *the issuance or renewal of outfitter and guide and*
10 *similar recreation special use permits when the Sec-*
11 *retary determines that such compliance is required, to*
12 *the maximum extent allowable under applicable law,*
13 *including, but not limited to, use of a categorical ex-*
14 *clusion as provided under section 803(h)(3) of the*
15 *Federal Lands Recreation Enhancement Act (16*
16 *U.S.C. 6802(h)(3)).*

17 (b) *ONLINE APPLICATIONS.—To the maximum extent*
18 *practicable, where feasible and efficient, the Secretary shall*
19 *make special recreation permit applications available to be*
20 *filled out and submitted online.*

21 **SEC. 2110. COST RECOVERY REFORM.**

22 (a) *REGULATORY PROCESS.—Not later than 180 days*
23 *after the date of enactment of this Act, the Secretary of Ag-*
24 *riculture shall revise section 251.58 of title 36, Code of Fed-*
25 *eral Regulations, and the Secretary of the Interior shall re-*

1 *vis* section 2932.31(e) and (f) of title 43, Code of Federal
2 Regulations, to reduce costs and minimize the burden of cost
3 recovery on small businesses and adverse impacts of cost
4 recovery on jobs in the outfitting and guiding industry and
5 on rural economies provided, however, that nothing in the
6 revised regulations shall further limit the Secretary's au-
7 thority to issue or renew recreation special use permits.

8 (b) *DE MINIMIS EXEMPTION.*—

9 (1) *COST RECOVERY LIMITATION.*—Any regula-
10 tions issued by the Secretary of the Interior or the
11 Secretary of Agriculture to establish fees to recover
12 processing costs for recreation special use applications
13 and monitoring costs for recreation special use au-
14 thorizations shall include an exemption providing
15 that at least the first 50 hours of work necessary in
16 any one year to process and/or monitor such an ap-
17 plication shall not be subject to cost recovery. The ap-
18 plication of a 50-hour credit per permit shall also
19 apply to any monitoring fees on a per annum basis
20 during the term of each permit.

21 (2) *APPLICATION OF EXEMPTION.*—An exemption
22 under paragraph (1) shall apply to the processing of
23 each recreation special use permit application and
24 monitoring of each recreation special use authoriza-
25 tion for which cost recovery is required, including

1 any application or authorization requiring more than
2 50 hours (or such other greater number of hours speci-
3 fied for exemption) to process or monitor. In the event
4 that the amount of work required to process such an
5 application or monitor such an authorization exceeds
6 the specified exemption, the amount of work for which
7 cost recovery is required shall be reduced by the
8 amount of the exemption.

9 (3) *MULTIPLE APPLICATIONS.*—In situations in-
10 volving multiple recreation special use applications
11 for similar services in the same unit or area that re-
12 quire more than 50 hours (or such other greater num-
13 ber of hours specified for exemption) in the aggregate
14 to process, the Secretary shall, regardless of whether
15 the applications are solicited or unsolicited and
16 whether there is competitive interest—

17 (A) determine the share of the aggregate
18 amount to be allocated to each application, on
19 an equal or prorated basis, as appropriate; and

20 (B) for each application, apply a separate
21 exemption of up to 50 hours (or such other great-
22 er number of hours specified for exemption) to
23 the share allocated to such application.

24 (4) *COST REDUCTION.*—The agency processing a
25 recreation special use application shall utilize exist-

1 *ing studies and analysis to the greatest extent prac-*
2 *ticable in order to reduce the amount of work and cost*
3 *necessary to process the application.*

4 (5) *LIMITATION.*—*The Secretary of the Interior*
5 *and the Secretary of Agriculture may not recover as*
6 *processing costs for recreation special use applications*
7 *and monitoring costs for recreation special use au-*
8 *thorizations any costs for consultations conducted*
9 *under section 7 of the Endangered Species Act of*
10 *1973 (16 U.S.C. 1536) or for biological monitoring on*
11 *Federal recreational lands and waters under such Act*
12 *for listed, proposed, or candidate species.*

13 (6) *WAIVER OF COST RECOVERY.*—*The Secretary*
14 *of the Interior and the Secretary of Agriculture may*
15 *wave the recovery of costs for processing recreation*
16 *special use permit applications and renewals, on a*
17 *categorical or case-by-case basis as appropriate, if the*
18 *Secretary determines that—*

19 (A) *such costs would impose a significant*
20 *economic burden on any small business or cat-*
21 *egory of small businesses;*

22 (B) *such cost recovery could threaten the*
23 *ability of an applicant or permittee to provide,*
24 *in a particular area, a particular outdoor rec-*
25 *reational activity that is consistent with the pub-*

1 *lic interest and with applicable resource manage-*
2 *ment plans; or*

3 *(C) prevailing economic conditions are un-*
4 *favorable, such as during economic recessions, or*
5 *when drought, fire, or other natural disasters*
6 *have depressed economic activity in the area of*
7 *operation.*

8 **SEC. 2111. EXTENSION OF FOREST SERVICE RECREATION**
9 **PRIORITY USE PERMITS.**

10 *Where the holder of a special use permit for outfitting*
11 *and guiding that authorizes priority use has submitted a*
12 *request for renewal of such permit in accordance with ap-*
13 *plicable laws and regulations, the Secretary of Agriculture*
14 *shall have the authority to grant the holder one or more*
15 *extensions of the existing permit for additional items not*
16 *to exceed 5 years in the aggregate, as necessary to allow*
17 *the Secretary to complete the renewal process and to avoid*
18 *the interruption of services under such permit. Before*
19 *granting an extension under this section, the Secretary shall*
20 *take all reasonable and appropriate steps to complete the*
21 *renewal process before the expiration of the special use per-*
22 *mit.*

1 **TITLE XXII—HUNTING AND REC-**
2 **REATIONAL FISHING WITHIN**
3 **CERTAIN NATIONAL FORESTS**

4 **SEC. 2201. DEFINITIONS.**

5 *In this title:*

6 (1) *HUNTING.*—*The term “hunting” means use*
7 *of a firearm, bow, or other authorized means in the*
8 *lawful pursuit, shooting, capture, collection, trapping,*
9 *or killing of wildlife; attempt to pursue, shoot, cap-*
10 *ture, collect, trap, or kill wildlife; or the training and*
11 *use of hunting dogs, including field trials.*

12 (2) *RECREATIONAL FISHING.*—*The term “rec-*
13 *reational fishing” means the lawful pursuit, capture,*
14 *collection, or killing of fish; or attempt to capture,*
15 *collect, or kill fish.*

16 (3) *FOREST PLAN.*—*The term “forest plan”*
17 *means a land and resource management plan pre-*
18 *pared by the Forest Service for a unit of the National*
19 *Forest System pursuant to section 6 of the Forest and*
20 *Rangeland Renewable Resources Planning Act of*
21 *1974 (16 U.S.C. 1604).*

22 (4) *NATIONAL FOREST SYSTEM.*—*The term “Na-*
23 *tional Forest System” has the meaning given that*
24 *term in section 11(a) of the Forest and Rangeland*

1 (3) *the Ozark National Forest, the St. Francis*
2 *National Forest, and the Ouachita National Forest in*
3 *the States of Arkansas and Oklahoma.*

4 (d) *STATE AUTHORITY.—Nothing in this section, sec-*
5 *tion 1 of the Act of June 4, 1897 (16 U.S.C. 551), or section*
6 *32 of the Act of July 22, 1937 (7 U.S.C. 1011) shall affect*
7 *the authority of States to manage hunting or recreational*
8 *fishing on lands within the National Forest System.*

Union Calendar No. 224

115TH CONGRESS
1ST SESSION

H. R. 3668

[Report No. 115-314, Part I]

A BILL

To provide for the preservation of sportsmen's heritage and enhance recreation opportunities on Federal land, and for other purposes.

SEPTEMBER 18, 2017

Reported from the Committee on Natural Resources with
an amendment

SEPTEMBER 18, 2017

The Committees on Agriculture, the Judiciary, Energy and Commerce, Transportation and Infrastructure, and Ways and Means discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

