

115TH CONGRESS
1ST SESSION

H. R. 3668

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

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
6 Act".

1 **SEC. 2. TABLE OF CONTENTS.**

2 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.

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 XIX—RESPECT FOR STATE WILDLIFE MANAGEMENT
AUTHORITY

Sec. 1903. Cooperation with State Fish and Wildlife Agencies on Management Plans.

20 and sport fishing equipment components.”.

1 **SEC. 103. LIMITATION ON AUTHORITY TO REGULATE AM-**
2 **MUNITION AND FISHING TACKLE.**

3 Except as provided in section 20.21 of title 50, Code
4 of Federal Regulations, as in effect on the date of the en-
5 actment of this Act, or any substantially similar successor
6 regulation thereto, the Secretary of the Interior, the Sec-
7 retary of Agriculture, and any bureau, service, or office
8 of the Department of the Interior or the Department of
9 Agriculture, may not regulate the use of ammunition car-
10 tridges, ammunition components, or fishing tackle based
11 on the lead content thereof if such use is in compliance
12 with the law of the State in which the use occurs.

13 **TITLE II—TARGET PRACTICE**
14 **AND MARKSMANSHIP TRAIN-**
15 **ING SUPPORT ACT**

16 **SEC. 201. SHORT TITLE.**

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

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

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

- 22 (1) is identified by a governmental agency for
23 recreational shooting;
- 24 (2) is open to the public;
- 25 (3) may be supervised; and

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

3 **SEC. 203. AMENDMENTS TO PITTMAN-ROBERTSON WILD-**
4 **LIFE RESTORATION ACT.**

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

8 (1) by redesignating paragraphs (2) through
9 (8) as paragraphs (3) through (9), respectively; and
10 (2) by inserting after paragraph (1) the fol-
11 lowing:

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

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

16 “(B) is open to the public;

17 “(C) may be supervised; and

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

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

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

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

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

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

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

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

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

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

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

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

22 (c) FIREARM AND BOW HUNTER EDUCATION AND
23 SAFETY PROGRAM GRANTS.—Section 10 of the Pittman-
24 Robertson Wildlife Restoration Act (16 U.S.C. 669h–1)
25 is amended—

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

3 “(3) ALLOCATION OF ADDITIONAL AMOUNTS.—

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

10 (2) by striking subsection (b) and inserting the
11 following:

12 “(b) COST SHARING.—

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

18 “(2) PUBLIC TARGET RANGE CONSTRUCTION OR
19 EXPANSION.—The Federal share of the cost of ac-
20 quiring land for, expanding, or constructing a public
21 target range in a State on Federal or non-Federal
22 land pursuant to this section or section 8(b) shall
23 not exceed 90 percent of the cost of the activity.”;
24 and

25 (3) in subsection (c)(1)—

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

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

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

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

13 **SEC. 204. LIMITS ON LIABILITY.**

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

22 (b) CIVIL ACTION OR CLAIMS.—Except to the extent
23 provided in chapter 171 of title 28, United States Code,
24 the United States shall not be subject to any civil action
25 or claim for money damages for any injury to or loss of

1 property, personal injury, or death caused by an activity
2 occurring at a public target range that is—

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

7 **SEC. 205. SENSE OF CONGRESS REGARDING COOPERATION.**

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

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

18 **SEC. 301. SHORT TITLE.**

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

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

22 The Secretary of the Army shall not promulgate or
23 enforce any regulation that prohibits an individual from
24 possessing a firearm, including a firearm that is assem-
25 bled, loaded, and functional, at a water resources develop-

1 ment project covered under section 327.0 of title 36, Code
2 of Federal Regulations (as in effect on the date of enact-
3 ment of this Act), if—

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

6 (2) the possession of the firearm is in compli-
7 ance with the law of the State in which the water
8 resources development project is located.

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

12 **SEC. 401. SHORT TITLE.**

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

15 **SEC. 402. DEFINITIONS.**

16 In this title:

17 (1) **FEDERAL PUBLIC LAND.**—The term “Fed-
18 eral public land” means any land or water that is
19 owned and managed by the Bureau of Land Man-
20 agement or the Forest Service.

21 (2) **FEDERAL PUBLIC LAND MANAGEMENT OF-**
22 **FICIALS.**—The term “Federal public land manage-
23 ment officials” means—

24 (A) the Secretary of the Interior and the
25 Director of the Bureau of Land Management

1 regarding Bureau of Land Management lands
2 and waters; and

3 (B) the Secretary of Agriculture and the
4 Chief of the Forest Service regarding the Na-
5 tional Forest System.

6 (3) HUNTING.—

7 (A) IN GENERAL.—Except as provided in
8 subparagraph (B), the term “hunting” means
9 use of a firearm, bow, or other authorized
10 means in the lawful—

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

13 (ii) attempt to pursue, shoot, capture,
14 collect, trap, or kill wildlife; or

15 (iii) the training of hunting dogs, in-
16 cluding field trials.

17 (B) EXCLUSION.—The term “hunting”
18 does not include the use of skilled volunteers to
19 cull excess animals (as defined by other Federal
20 law).

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

23 (A) pursuit, capture, collection, or killing
24 of fish; or

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

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

6 **SEC. 403. RECREATIONAL FISHING, HUNTING, AND SHOOT-**
7 **ING.**

8 (a) IN GENERAL.—Subject to valid existing rights
9 and subsection (g), and cooperation with the respective
10 State fish and wildlife agency, Federal public land man-
11 agement officials shall exercise authority under existing
12 law, including provisions regarding land use planning, to
13 facilitate use of and access to Federal public lands, includ-
14 ing National Monuments, Wilderness Areas, Wilderness
15 Study Areas, and lands administratively classified as wil-
16 derness eligible or suitable and primitive or semi-primitive
17 areas, for recreational fishing, hunting, and shooting, ex-
18 cept as limited by—

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

22 (2) any other Federal statute that specifically
23 precludes recreational fishing, hunting, or shooting
24 on specific Federal public lands, waters, or units
25 thereof; or

1 (3) discretionary limitations on recreational
2 fishing, hunting, and shooting determined to be nec-
3 essary and reasonable as supported by the best sci-
4 entific evidence and advanced through a transparent
5 public process.

6 (b) MANAGEMENT.—Consistent with subsection (a),
7 the head of each Federal public land management agency
8 shall exercise its land management discretion—

9 (1) in a manner that supports and facilitates
10 recreational fishing, hunting, and shooting opportu-
11 nities;

12 (2) to the extent authorized under applicable
13 State law; and

14 (3) in accordance with applicable Federal law.

15 (c) PLANNING.—

16 (1) EVALUATION OF EFFECTS ON OPPORTUNI-
17 TIES TO ENGAGE IN RECREATIONAL FISHING, HUNT-
18 ING, OR SHOOTING.—Federal public land planning
19 documents, including land resources management
20 plans, resource management plans, and comprehen-
21 sive conservation plans, shall include a specific eval-
22 uation of the effects of such plans on opportunities
23 to engage in recreational fishing, hunting, or shoot-
24 ing.

1 (2) NO MAJOR FEDERAL ACTION.—No action
2 taken under this title, or under section 4 of the Na-
3 tional Wildlife Refuge System Administration Act of
4 1966 (16 U.S.C. 668dd), either individually or cu-
5 mulatively with other actions involving Federal pub-
6 lic lands or lands managed by the United States
7 Fish and Wildlife Service, shall be considered under
8 the National Environmental Policy Act of 1969 (42
9 U.S.C. 4321 et seq.) to be a major Federal action
10 significantly affecting the quality of the human envi-
11 ronment, and no additional identification, analysis,
12 or consideration of environmental effects, including
13 cumulative effects, is necessary or required with re-
14 spect to such an action.

15 (3) OTHER ACTIVITY NOT CONSIDERED.—Fed-
16 eral public land management officials are not re-
17 quired to consider the existence or availability of rec-
18 reational fishing, hunting, or shooting opportunities
19 on adjacent or nearby public or private lands in the
20 planning for or determination of which Federal pub-
21 lic lands are open for these activities or in the set-
22 ting of levels of use for these activities on Federal
23 public lands, unless the combination or coordination
24 of such opportunities would enhance the recreational

1 fishing, hunting, or shooting opportunities available
2 to the public.

3 (d) FEDERAL PUBLIC LANDS.—

4 (1) LANDS OPEN.—Notwithstanding any other
5 law, lands under the jurisdiction of the Bureau of
6 Land Management or the Forest Service, including
7 Wilderness Areas, Wilderness Study Areas, lands
8 designated as wilderness or administratively classi-
9 fied as wilderness eligible or suitable and primitive
10 or semi-primitive areas and National Monuments,
11 but excluding lands on the Outer Continental Shelf,
12 shall be open to recreational fishing, hunting, and
13 shooting unless the managing Federal agency acts to
14 close lands to such activity. Lands may be made
15 subject to closure to or restriction on recreational
16 fishing, hunting, or shooting if determined by the
17 head of the agency concerned to be necessary and
18 reasonable and supported by facts and evidence, for
19 purposes including resource conservation, public
20 safety, energy or mineral production, energy genera-
21 tion or transmission infrastructure, water supply fa-
22 cilities, protection of other permittees, protection of
23 private property rights or interest, national security,
24 or compliance with other law.

25 (2) SHOOTING RANGES.—

1 (A) IN GENERAL.—The head of each Fed-
2 eral agency shall use his or her authorities in
3 a manner consistent with this title and other
4 applicable law, to—

5 (i) lease or permit use of lands under
6 the jurisdiction of the agency for shooting
7 ranges; and

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

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

18 (e) NECESSITY IN WILDERNESS AREAS AND “WITH-
19 IN AND SUPPLEMENTAL TO” WILDERNESS PURPOSES.—

20 (1) MINIMUM REQUIREMENTS FOR ADMINIS-
21 TRATION.—The provision of opportunities for rec-
22 reational fishing, hunting, and shooting and the con-
23 servation of fish and wildlife to provide sustainable
24 use recreational opportunities on designated Federal
25 wilderness areas shall constitute measures necessary

1 to meet the minimum requirements for the adminis-
2 tration of the wilderness area, provided that this de-
3 termination shall not authorize or facilitate com-
4 modity development, use, or extraction, motorized
5 recreational access or use that is not otherwise al-
6 lowed under the Wilderness Act (16 U.S.C. 1131 et
7 seq.), or permanent road construction or mainte-
8 nance within designated wilderness areas.

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

1 or extraction, or permanent road construction or use
2 within designated wilderness areas.

3 (f) REPORT.—Beginning on the second October 1
4 after the date of the enactment of this Act and biennially
5 on October 1 thereafter, the head of each Federal agency
6 who has authority to manage Federal public land on which
7 recreational fishing, hunting, or shooting occurs shall sub-
8 mit to the Committee on Natural Resources of the House
9 of Representatives and the Committee on Energy and
10 Natural Resources of the Senate a report that describes—

11 (1) any Federal public land administered by the
12 agency head that was closed to recreational fishing,
13 hunting, or shooting at any time during the pre-
14 ceding year; and

15 (2) the reason for the closure.

16 (g) CLOSURES OR SIGNIFICANT RESTRICTIONS OF
17 640 OR MORE ACRES.—

18 (1) IN GENERAL.—Other than closures estab-
19 lished or prescribed by land planning actions re-
20 ferred to in subsection (d) or emergency closures de-
21 scribed in paragraph (3) of this subsection, a perma-
22 nent or temporary withdrawal, change of classifica-
23 tion, or change of management status of Federal
24 public land that effectively closes or significantly re-
25 stricts 640 or more contiguous acres of Federal pub-

1 lic land to access or use for recreational fishing or
2 hunting or activities related to recreational fishing
3 or hunting, or both, shall take effect only if, before
4 the date of withdrawal or change, the head of the
5 Federal agency that has jurisdiction over the Fed-
6 eral public land—

7 (A) publishes appropriate notice of the
8 withdrawal or change, respectively;

9 (B) demonstrates that coordination has oc-
10 curred with a State fish and wildlife agency;
11 and

12 (C) submits to the Committee on Natural
13 Resources of the House of Representatives and
14 the Committee on Energy and Natural Re-
15 sources of the Senate written notice of the with-
16 drawal or change, respectively.

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

23 (3) EMERGENCY CLOSURES.—Nothing in this
24 title prohibits a Federal land management agency
25 from establishing or implementing emergency clo-

1 sures or restrictions of the smallest practicable area
2 to provide for public safety, resource conservation,
3 national security, or other purposes authorized by
4 law. Such an emergency closure shall terminate after
5 a reasonable period of time unless converted to a
6 permanent closure consistent with this title.

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

10 (i) NO PRIORITY.—Nothing in this title requires a
11 Federal land management agency to give preference to
12 recreational fishing, hunting, or shooting over other uses
13 of Federal public land or over land or water management
14 priorities established by Federal law.

15 (j) CONSULTATION WITH COUNCILS.—In fulfilling
16 the duties set forth in this Act, the heads of Federal agen-
17 cies shall consult with respective advisory councils as es-
18 tablished in Executive Order Nos. 12962 and 13443.

19 (k) AUTHORITY OF THE STATES.—

20 (1) IN GENERAL.—Nothing in this title shall be
21 construed as interfering with, diminishing, or con-
22 flicting with the authority, jurisdiction, or responsi-
23 bility of any State to exercise primary management,
24 control, or regulation of fish and wildlife under State

1 law (including regulations) on land or water within
 2 the State, including on Federal public land.

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

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

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

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

17 (A) units of the National Park System;

18 (B) National Forest System lands; and

19 (C) land and interests in land owned by
 20 the United States and under the administrative
 21 jurisdiction of—

22 (i) the Fish and Wildlife Service; or

23 (ii) the Bureau of Land Management.

24 (2) SECRETARY.—The term “Secretary”
 25 means—

1 (A) the Secretary of the Interior and in-
2 cludes the Director of the National Park Serv-
3 ice, with regard to units of the National Park
4 System;

5 (B) the Secretary of the Interior and in-
6 cludes the Director of the Fish and Wildlife
7 Service, with regard to Fish and Wildlife Serv-
8 ice lands and waters;

9 (C) the Secretary of the Interior and in-
10 cludes the Director of the Bureau of Land
11 Management, with regard to Bureau of Land
12 Management lands and waters; and

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

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

20 (b) VOLUNTEER HUNTERS.—When planning wildlife
21 management involving reducing the size of a wildlife popu-
22 lation on public land, the Secretary shall consider the use
23 of and may use volunteers from the hunting community
24 as agents to assist in carrying out wildlife management
25 on public land. The Secretary shall not reject the use of

1 volunteers from the hunting community as agents without
2 the concurrence of the appropriate State wildlife manage-
3 ment authorities.

4 (c) REPORT.—Beginning on the second October 1
5 after the date of the enactment of this Act and biennially
6 on October 1 thereafter, the Secretary shall submit to the
7 Committee on Natural Resources of the House of Rep-
8 resentatives and the Committee on Energy and Natural
9 Resources of the Senate a report that describes—

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

14 (2) the reason for the closure.

15 (d) CLOSURES OR SIGNIFICANT RESTRICTIONS.—

16 (1) IN GENERAL.—Other than closures estab-
17 lished or prescribed by land planning actions re-
18 ferred to in section 604(e) or emergency closures de-
19 scribed in paragraph (2), a permanent or temporary
20 withdrawal, change of classification, or change of
21 management status of public land that effectively
22 closes or significantly restricts any acreage of public
23 land to access or use for fishing, hunting, rec-
24 reational shooting, or activities related to fishing,
25 hunting, or recreational shooting, or a combination

1 of those activities, shall take effect only if, before the
2 date of withdrawal or change, the Secretary—

3 (A) publishes appropriate notice of the
4 withdrawal or change, respectively;

5 (B) demonstrates that coordination has oc-
6 curred with a State fish and wildlife agency;
7 and

8 (C) submits to the Committee on Natural
9 Resources of the House of Representatives and
10 the Committee on Energy and Natural Re-
11 sources of the Senate written notice of the with-
12 drawal or change, respectively.

13 (2) EMERGENCY CLOSURES.—Nothing in this
14 Act prohibits the Secretary from establishing or im-
15 plementing emergency closures or restrictions of the
16 smallest practicable area to provide for public safety,
17 resource conservation, national security, or other
18 purposes authorized by law. Such an emergency clo-
19 sure shall terminate after a reasonable period of
20 time unless converted to a permanent closure con-
21 sistent with this Act.

1 **TITLE V—FARMER AND HUNTER**
2 **PROTECTION ACT**

3 **SEC. 501. SHORT TITLE.**

4 This title may be cited as the “Hunter and Farmer
5 Protection Act”.

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

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

10 “(b) PROHIBITION OF BAITING.—

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

12 “(A) BAITED AREA.—

13 “(i) IN GENERAL.—The term ‘baited
14 area’ means—

15 “(I) any area on which salt,
16 grain, or other feed has been placed,
17 exposed, deposited, distributed, or
18 scattered, if the salt, grain, or feed
19 could lure or attract migratory game
20 birds; and

21 “(II) in the case of waterfowl,
22 cranes (family Gruidae), and coots
23 (family Rallidae), a standing,
24 unharvested crop that has been ma-
25 nipulated through activities such as

1 mowing, discing, or rolling, unless the
2 activities are normal agricultural prac-
3 tices.

4 “(ii) EXCLUSIONS.—An area shall not
5 be considered to be a ‘baited area’ if the
6 area—

7 “(I) has been treated with a nor-
8 mal agricultural practice;

9 “(II) has standing crops that
10 have not been manipulated; or

11 “(III) has standing crops that
12 have been or are flooded.

13 “(B) BAITING.—The term ‘baiting’ means
14 the direct or indirect placing, exposing, depos-
15 iting, distributing, or scattering of salt, grain,
16 or other feed that could lure or attract migra-
17 tory game birds to, on, or over any areas on
18 which a hunter is attempting to take migratory
19 game birds.

20 “(C) MIGRATORY GAME BIRD.—The term
21 ‘migratory game bird’ means migratory bird
22 species—

23 “(i) that are within the taxonomic
24 families of Anatidae, Columbidae, Gruidae,
25 Rallidae, and Scolopacidae; and

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

3 “(D) NORMAL AGRICULTURAL PRAC-
 4 TICE.—

5 “(i) IN GENERAL.—The term ‘normal
 6 agricultural practice’ means any practice in
 7 one annual growing season that—

8 “(I) is carried out in order to
 9 produce a marketable crop, including
 10 planting, harvest, postharvest, or soil
 11 conservation practices; and

12 “(II) is recommended for the
 13 successful harvest of a given crop by
 14 the applicable State office of the Co-
 15 operative Extension System of the De-
 16 partment of Agriculture, in consulta-
 17 tion with, and if requested, the con-
 18 currence of, the head of the applicable
 19 State department of fish and wildlife.

20 “(ii) INCLUSIONS.—

21 “(I) IN GENERAL.—Subject to
 22 subclause (II), the term ‘normal agri-
 23 cultural practice’ includes the destruc-
 24 tion of a crop in accordance with
 25 practices required by the Federal

1 Crop Insurance Corporation for agri-
2 cultural producers to obtain crop in-
3 surance under the Federal Crop In-
4 surance Act (7 U.S.C. 1501 et seq.)
5 on land on which a crop during the
6 current or immediately preceding crop
7 year was not harvestable due to a nat-
8 ural disaster (including any hurricane,
9 storm, tornado, flood, high water,
10 wind-driven water, tidal wave, tsu-
11 nami, earthquake, volcanic eruption,
12 landslide, mudslide, drought, fire,
13 snowstorm, or other catastrophe that
14 is declared a major disaster by the
15 President in accordance with section
16 401 of the Robert T. Stafford Dis-
17 aster Relief and Emergency Assist-
18 ance Act (42 U.S.C. 5170)).

19 “(II) LIMITATIONS.—The term
20 ‘normal agricultural practice’ only in-
21 cludes a crop described in subclause
22 (I) that has been destroyed or manip-
23 ulated through activities that include
24 (but are not limited to) mowing,
25 discing, or rolling if the Federal Crop

1 Insurance Corporation certifies that
2 flooding was not an acceptable method
3 of destruction to obtain crop insur-
4 ance under the Federal Crop Insur-
5 ance Act (7 U.S.C. 1501 et seq.).

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

8 “(2) PROHIBITION.—It shall be unlawful for
9 any person—

10 “(A) to take any migratory game bird by
11 baiting or on or over any baited area, if the
12 person knows or reasonably should know that
13 the area is a baited area; or

14 “(B) to place or direct the placement of
15 bait on or adjacent to an area for the purpose
16 of causing, inducing, or allowing any person to
17 take or attempt to take any migratory game
18 bird by baiting or on or over the baited area.

19 “(3) REGULATIONS.—The Secretary of the In-
20 terior may promulgate regulations to implement this
21 subsection.”.

1 **TITLE VI—TRANSPORTING BOWS**
 2 **ACROSS NATIONAL PARK**
 3 **SERVICE LANDS**

4 **SEC. 601. SHORT TITLE.**

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

7 **SEC. 602. BOWHUNTING OPPORTUNITY AND WILDLIFE**
 8 **STEWARDSHIP.**

9 (a) IN GENERAL.—Subchapter II of chapter 1015 of
 10 title 54, United States Code, is amended by adding at the
 11 end the following:

12 **“§ 101513. Hunter access corridors**

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

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

16 **“(A) a bow or crossbow, the arrows of**
 17 **which are secured or stowed in a quiver or**
 18 **other arrow transport case; and**

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

20 **“(2) VALID HUNTING LICENSE.—The term**
 21 **‘valid hunting license’ means a State-issued hunting**
 22 **license that authorizes an individual to hunt on pri-**
 23 **vate or public land adjacent to the System unit in**
 24 **which the individual is located while in possession of**

1 a bow or crossbow that is not ready for immediate
2 use.

3 “(b) TRANSPORTATION AUTHORIZED.—

4 “(1) IN GENERAL.—The Director shall not re-
5 quire a permit for, or promulgate or enforce any
6 regulation that prohibits an individual from trans-
7 porting bows and crossbows that are not ready for
8 immediate use across any System unit if—

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

11 “(i) the individual is not otherwise
12 prohibited by law from possessing the bows
13 and crossbows;

14 “(ii) the bows or crossbows are not
15 ready for immediate use throughout the
16 period during which the bows or crossbows
17 are transported across the System unit;

18 “(iii) the possession of the bows and
19 crossbows is in compliance with the law of
20 the State in which the System unit is lo-
21 cated; and

22 “(iv)(I) the individual possesses a
23 valid hunting license;

24 “(II) the individual is traversing the
25 System unit en route to a hunting access

1 corridor established under subsection
2 (c)(1); or

3 “(III) the individual is traversing the
4 System unit in compliance with any other
5 applicable regulations or policies; or

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

8 “(2) ENFORCEMENT.—Nothing in this sub-
9 section limits the authority of the Director to en-
10 force laws (including regulations) prohibiting hunt-
11 ing or the taking of wildlife in any System unit.

12 “(c) ESTABLISHMENT OF HUNTER ACCESS COR-
13 RIDORS.—

14 “(1) IN GENERAL.—On a determination by the
15 Director under paragraph (2), the Director may es-
16 tablish and publish (in accordance with section 1.5
17 of title 36, Code of Federal Regulations (or a suc-
18 cessor regulation)), on a publicly available map, hun-
19 ter access corridors across System units that are
20 used to access public land that is—

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

22 “(B) open to hunting.

23 “(2) DETERMINATION BY DIRECTOR.—The de-
24 termination referred to in paragraph (1) is a deter-
25 mination that the hunter access corridor would pro-

1 vide wildlife management or visitor experience bene-
2 fits within the boundary of the System unit in which
3 the hunter access corridor is located.

4 “(3) HUNTING SEASON.—The hunter access
5 corridors shall be open for use during hunting sea-
6 sons.

7 “(4) EXCEPTION.—The Director may establish
8 limited periods during which access through the
9 hunter access corridors is closed for reasons of pub-
10 lic safety, administration, or compliance with appli-
11 cable law. Such closures shall be clearly marked with
12 signs and dates of closures, and shall not include
13 gates, chains, walls, or other barriers on the hunter
14 access corridor.

15 “(5) IDENTIFICATION OF CORRIDORS.—The Di-
16 rector shall—

17 “(A) make information regarding hunter
18 access corridors available on the individual
19 website of the applicable System unit; and

20 “(B) provide information regarding any
21 processes established by the Director for trans-
22 porting legally taken game through individual
23 hunter access corridors.

24 “(6) REGISTRATION; TRANSPORTATION OF
25 GAME.—The Director may—

1 “(A) provide registration boxes to be lo-
2 cated at the trailhead of each hunter access cor-
3 ridor for self-registration;

4 “(B) provide a process for online self-reg-
5 istration; and

6 “(C) allow nonmotorized conveyances to
7 transport legally taken game through a hunter
8 access corridor established under this sub-
9 section, including game carts and sleds.

10 “(7) CONSULTATION WITH STATES.—The Di-
11 rector shall consult with each applicable State wild-
12 life agency to identify appropriate hunter access cor-
13 ridors.

14 “(d) EFFECT.—Nothing in this section—

15 “(1) diminishes, enlarges, or modifies any Fed-
16 eral or State authority with respect to hunting, rec-
17 reational shooting, or any other recreational activi-
18 ties within the boundaries of a System unit; or

19 “(2) authorizes—

20 “(A) the establishment of new trails in
21 System units; or

22 “(B) authorizes individuals to access areas
23 in System units, on foot or otherwise, that are
24 not open to such access.

25 “(e) NO MAJOR FEDERAL ACTION.—

1 “(1) IN GENERAL.—Any action taken under
 2 this section shall not be considered a major Federal
 3 action significantly affecting the quality of the
 4 human environment under the National Environ-
 5 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

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

11 (b) CLERICAL AMENDMENT.—The table of sections
 12 for title 54, United States Code, is amended by inserting
 13 after the item relating to section 101512 the following:
 “101513. Hunter access corridors.”.

14 **TITLE VII—RESPECT FOR** 15 **TREATIES AND RIGHTS**

16 **SEC. 701. RESPECT FOR TREATIES AND RIGHTS.**

17 Nothing in this Act or the amendments made by this
 18 Act shall be construed to affect or modify any treaty or
 19 other right of any federally recognized Indian Tribe.

1 **TITLE VIII—STATE APPROVAL**
2 **OF 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 In-
8 terior and the Secretary of Commerce shall not restrict
9 recreational or commercial fishing access to any State or
10 territorial marine waters or Great Lakes waters within the
11 jurisdiction of the National Park Service or the Office of
12 National Marine Sanctuaries, respectively, unless those re-
13 strictions are developed in coordination with, and ap-
14 proved by, the fish and wildlife management agency of the
15 State or territory that has fisheries management authority
16 over those 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 sub-
8 section (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
16 under this section:

17 “(1) The case name and number of the adver-
18 sary adjudication, if available.

19 “(2) The name of the agency involved in the
20 adversary adjudication.

21 “(3) A description of the claims in the adver-
22 sary adjudication.

23 “(4) The name of each party to whom the
24 award was made, as such party is identified in the
25 order or 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
10 request, all information requested by the Chairman to
11 comply with the requirements of subsections (e) and (f).”.

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

15 “(5) The Chairman of the Administrative Con-
16 ference shall create and maintain online a searchable
17 database containing the following information with
18 respect to each award of fees and other expenses
19 under this section:

20 “(A) The case name and number.

21 “(B) The name of the agency involved in
22 the case.

23 “(C) The name of each party to whom the
24 award was made, as such party is identified in

1 the order or other court document making the
2 award.

3 “(D) A description of the claims in the
4 case.

5 “(E) The amount of the award.

6 “(F) The basis for the finding that the po-
7 sition of the agency concerned was not substan-
8 tially justified.

9 “(6) The online searchable database described
10 in paragraph (5) may not reveal any information the
11 disclosure of which is prohibited by law or court
12 order.

13 “(7) The head of each agency (including the
14 Attorney General of the United States) shall provide
15 to the Chairman of the Administrative Conference of
16 the United States, no later than 60 days following
17 the Chairman’s request, all information requested by
18 the Chairman to comply with the requirements of
19 paragraphs (5) and (6).”.

20 (c) CLERICAL AMENDMENTS.—Section 2412 of title
21 28, United States Code, is amended—

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

24 (2) in subsection (e)—

1 (A) by striking “of section 2412 of title
 2 28, United States Code,” and inserting “of this
 3 section”; and

4 (B) by striking “of such title” and insert-
 5 ing “of this title”.

6 (d) EFFECTIVE DATE.—

7 (1) IN GENERAL.—The amendments made by
 8 subsections (a) and (b) shall first apply with respect
 9 to awards of fees and other expenses that are made
 10 on or after the date of the enactment of this Act.

11 (2) ONLINE DATABASES.—The online databases
 12 required by section 504(e) of title 5, United States
 13 Code, and section 2412(d)(5) of title 28, United
 14 States Code, shall be established as soon as prac-
 15 ticable after the date of the enactment of this Act,
 16 but in no case later than 1 year after the date of
 17 the enactment of this Act.

18 **TITLE X—GOOD SAMARITAN** 19 **SEARCH AND RECOVERY**

20 **SEC. 1001. SHORT TITLE.**

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

23 **SEC. 1002. EXPEDITED ACCESS TO CERTAIN FEDERAL** 24 **LAND.**

25 (a) DEFINITIONS.—In this section:

1 (1) ELIGIBLE.—The term “eligible”, with re-
2 spect to an organization or individual, means that
3 the organization or individual, respectively, is—

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

5 (B) composed entirely of members who, at
6 the time of the good Samaritan search-and-re-
7 covery mission, have attained the age of major-
8 ity under the law of the State where the mis-
9 sion takes place.

10 (2) GOOD SAMARITAN SEARCH-AND-RECOVERY
11 MISSION.—The term “good Samaritan search-and-
12 recovery mission” means a search conducted by an
13 eligible organization or individual for one or more
14 missing individuals believed to be deceased at the
15 time that the search is initiated.

16 (3) SECRETARY.—The term “Secretary” means
17 the Secretary of the Interior or the Secretary of Ag-
18 riculture, as applicable.

19 (b) PROCESS.—

20 (1) IN GENERAL.—Each Secretary shall develop
21 and implement a process to expedite access to Fed-
22 eral land under the administrative jurisdiction of the
23 Secretary for eligible organizations and individuals
24 to request access to Federal land to conduct good
25 Samaritan search-and-recovery missions.

1 (2) INCLUSIONS.—The process developed and
2 implemented under this subsection shall include pro-
3 visions to clarify that—

4 (A) an eligible organization or individual
5 granted access under this section—

6 (i) shall be acting for private pur-
7 poses; and

8 (ii) shall not be considered to be a
9 Federal volunteer;

10 (B) an eligible organization or individual
11 conducting a good Samaritan search-and-recov-
12 ery mission under this section shall not be con-
13 sidered to be a volunteer under section
14 102301(c) of title 54, United States Code;

15 (C) chapter 171 of title 28, United States
16 Code (commonly known as the “Federal Tort
17 Claims Act”), shall not apply to an eligible or-
18 ganization or individual carrying out a privately
19 requested good Samaritan search-and-recovery
20 mission under this section; and

21 (D) chapter 81 of title 5, United States
22 Code (commonly known as the “Federal Em-
23 ployees’ Compensation Act”), shall not apply to
24 an eligible organization or individual conducting
25 a good Samaritan search-and-recovery mission

1 under this section, and the conduct of the good
2 Samaritan search-and-recovery mission shall
3 not constitute civilian employment.

4 (c) RELEASE OF FEDERAL GOVERNMENT FROM LI-
5 ABILITY.—The Secretary shall not require an eligible or-
6 ganization or individual to have liability insurance as a
7 condition of accessing Federal land under this section, if
8 the eligible organization or individual—

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

12 (2) signs a waiver releasing the Federal Gov-
13 ernment from all liability relating to the access
14 granted under this section and agrees to indemnify
15 and hold harmless the United States from any
16 claims or lawsuits arising from any conduct by the
17 eligible organization or individual on Federal land.

18 (d) APPROVAL AND DENIAL OF REQUESTS.—

19 (1) IN GENERAL.—The Secretary shall notify
20 an eligible organization or individual of the approval
21 or denial of a request by the eligible organization or
22 individual to carry out a good Samaritan search-
23 and-recovery mission under this section by not later
24 than 48 hours after the request is made.

1 (2) DENIALS.—If the Secretary denies a re-
2 quest from an eligible organization or individual to
3 carry out a good Samaritan search-and-recovery mis-
4 sion under this section, the Secretary shall notify the
5 eligible organization or individual of—

6 (A) the reason for the denial of the re-
7 quest; and

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

11 (e) PARTNERSHIPS.—Each Secretary shall develop
12 search-and-recovery-focused partnerships with search-and-
13 recovery organizations—

14 (1) to coordinate good Samaritan search-and-
15 recovery missions on Federal land under the admin-
16 istrative jurisdiction of the Secretary; and

17 (2) to expedite and accelerate good Samaritan
18 search-and-recovery mission efforts for missing indi-
19 viduals on Federal land under the administrative ju-
20 risdiction of the Secretary.

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

24 (1) plans to develop partnerships described in
25 subsection (e)(1); and

1 (2) efforts carried out to expedite and accel-
 2 erate good Samaritan search-and-recovery mission
 3 efforts for missing individuals on Federal land under
 4 the administrative jurisdiction of each Secretary
 5 pursuant to subsection (e)(2).

6 **TITLE XI—INTERSTATE TRANS-**
 7 **PORTATION OF FIREARMS OR**
 8 **AMMUNITION**

9 **SEC. 1101. INTERSTATE TRANSPORTATION OF FIREARMS**
 10 **OR AMMUNITION.**

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

13 **“§ 926A. Interstate transportation of firearms or am-**
 14 **munition**

15 “(a) Notwithstanding any provision of any law, rule,
 16 or regulation of a State or any political subdivision there-
 17 of:

18 “(1) A person who is not prohibited by this
 19 chapter from possessing, transporting, shipping, or
 20 receiving a firearm or ammunition shall be entitled
 21 to transport a firearm for any lawful purpose from
 22 any place where the person may lawfully possess,
 23 carry, or transport the firearm to any other such
 24 place if, during the transportation, the firearm is
 25 unloaded, and—

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

3 “(i) not directly accessible from the
4 passenger compartment of the vehicle;

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

7 “(iii) secured by a secure gun storage
8 or safety device; or

9 “(B) if the transportation is by other
10 means, the firearm is in a locked container or
11 secured by a secure gun storage or safety de-
12 vice.

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

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

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

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

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

5 “(b) In subsection (a), the term ‘transport’ includes
6 staying in temporary lodging overnight, stopping for food,
7 fuel, vehicle maintenance, an emergency, medical treat-
8 ment, and any other activity incidental to the transport.

9 “(c)(1) A person who is transporting a firearm or
10 ammunition may not be arrested or otherwise detained for
11 violation of any law or any rule or regulation of a State
12 or any political subdivision thereof related to the posses-
13 sion, transportation, or carrying of firearms, unless there
14 is probable cause to believe that the person is doing so
15 in a manner not provided for in subsection (a).

16 “(2) When a person asserts this section as a defense
17 in a criminal proceeding, the prosecution shall bear the
18 burden of proving, beyond a reasonable doubt, that the
19 conduct of the person did not satisfy the conditions set
20 forth in subsection (a).

21 “(3) When a person successfully asserts this section
22 as a defense in a criminal proceeding, the court shall
23 award the prevailing defendant a reasonable attorney’s
24 fee.

1 “(d)(1) A person who is deprived of any right, privi-
 2 lege, or immunity secured by this section, section 926B
 3 or 926C, under color of any statute, ordinance, regulation,
 4 custom, or usage of any State or any political subdivision
 5 thereof, may bring an action in any appropriate court
 6 against any other person, including a State or political
 7 subdivision thereof, who causes the person to be subject
 8 to the deprivation, for damages and other appropriate re-
 9 lief.

10 “(2) The court shall award a plaintiff prevailing in
 11 an action brought under paragraph (1) damages and such
 12 other relief as the court deems appropriate, including a
 13 reasonable attorney’s fee.”.

14 (b) CLERICAL AMENDMENT.—The table of sections
 15 for such chapter is amended in the item relating to section
 16 926A by striking “firearms” and inserting “firearms or
 17 ammunition”.

18 **TITLE XII—POLAR BEAR CON-** 19 **SERVATION AND FAIRNESS** 20 **ACT**

21 **SEC. 1201. SHORT TITLE.**

22 This title may be cited as the “Polar Bear Conserva-
 23 tion and Fairness Act”.

1 **SEC. 1202. PERMITS FOR IMPORTATION OF POLAR BEAR**
2 **TROPHIES TAKEN IN SPORT HUNTS IN CAN-**
3 **ADA.**

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

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

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

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

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

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

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

16 **TITLE XIII—NORTH AMERICAN** 17 **WETLANDS CONSERVATION** 18 **EXTENSION**

19 **SEC. 1301. SHORT TITLE.**

20 This title may be cited as the “North American Wet-
 21 lands Conservation Extension Act”.

22 **SEC. 1302. AUTHORIZATION OF APPROPRIATIONS.**

23 Section 7(c) of the North American Wetlands Con-
 24 servation Act (16 U.S.C. 4406(c)) is amended by striking
 25 “not to exceed—” and all that follows through paragraph

1 (5) and inserting “not to exceed \$50,000,000 for each of
2 fiscal years 2018 through 2022.”.

3 **SEC. 1303. LIMITATION ON EXPENDITURES FOR PURCHASE**
4 **OF LAND.**

5 (a) LIMITATION.—Section 6 of the North American
6 Wetlands Conservation Act (16 U.S.C. 4405) is amended
7 by adding at the end the following:

8 “(c) LIMITATION ON EXPENDITURES FOR PURCHASE
9 OF LAND.—Amounts appropriated under this Act may not
10 be used by the Secretary to purchase land that will be
11 administered by the United States.”.

12 (b) APPLICATION.—The amendment made by sub-
13 section (a) shall not apply with respect to any specific land
14 acquisition required by contract or other agreement en-
15 tered into before the date of enactment of this Act.

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

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

20 “(2) an annual assessment of the status of wet-
21 lands conservation projects, including an accounting
22 of—

23 “(A) expenditures by Federal, State, and
24 other United States entities;

1 “(B) expenditures made for fee-simple ac-
 2 quisation of Federal lands in the United States;
 3 and

4 “(C) expenditures by Canadian and Mexi-
 5 can sources to carry out wetland projects fund-
 6 ed under this Act.”.

7 **TITLE XIV—GRAY WOLVES**

8 **SEC. 1401. REISSUANCE OF FINAL RULES RELATING TO** 9 **GRAY WOLVES IN THE WESTERN GREAT** 10 **LAKES AND THE STATE OF WYOMING.**

11 (a) IN GENERAL.—Notwithstanding any other provi-
 12 sion of law, not later than 60 days after the date of enact-
 13 ment of this Act, the Secretary of the Interior shall re-
 14 issue—

15 (1) the final rule entitled “Endangered and
 16 Threatened Wildlife and Plants; Revising the Listing
 17 of the Gray Wolf (*Canis lupus*) in the Western Great
 18 Lakes” (76 Fed. Reg. 81666 (December 28, 2011));
 19 and

20 (2) the final rule entitled “Endangered and
 21 Threatened Wildlife and Plants; Removal of the
 22 Gray Wolf in Wyoming From the Federal List of
 23 Endangered and Threatened Wildlife and Removal
 24 of the Wyoming Wolf Population’s Status as an Ex-

1 perimental Population” (77 Fed. Reg. 55530 (Sep-
2 tember 10, 2012)).

3 (b) NO JUDICIAL REVIEW.—The reissuance of the
4 final rules described in subsection (a) shall not be subject
5 to judicial review.

6 **TITLE XV—HEARING** 7 **PROTECTION**

8 **SEC. 1501. SHORT TITLE.**

9 This title may be cited as the “Hearing Protection
10 Act”.

11 **SEC. 1502. EQUAL TREATMENT OF SILENCERS AND FIRE-** 12 **ARMS.**

13 (a) IN GENERAL.—Section 5845(a) of the Internal
14 Revenue Code of 1986 is amended by striking “(7) any
15 silencer” and all that follows through “; and (8)” and in-
16 serting “; and (7)”.

17 (b) EFFECTIVE DATE.—The amendment made by
18 this section shall apply to calendar quarters beginning
19 more than 90 days after the date of the enactment of this
20 Act.

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

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

24 “(f) FIREARM SILENCERS.—A person acquiring or
25 possessing a firearm silencer in accordance with chapter

1 44 of title 18, United States Code, shall be treated as
2 meeting any registration and licensing requirements of the
3 National Firearms Act with respect to such silencer.”.

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

6 Section 927 of title 18, United States Code, is
7 amended by adding at the end the following: “Notwith-
8 standing the preceding sentence, a law of a State or a
9 political subdivision of a State that imposes a tax, other
10 than a generally applicable sales or use tax, on making,
11 transferring, using, possessing, or transporting a firearm
12 silencer in or affecting interstate or foreign commerce, or
13 imposes a marking, recordkeeping or registration require-
14 ment with respect to such a firearm silencer, shall have
15 no force or effect.”.

16 **SEC. 1505. DESTRUCTION OF RECORDS.**

17 Not later than 365 days after the date of the enact-
18 ment of this Act, the Attorney General shall destroy any
19 registration of a silencer maintained in the National Fire-
20 arms Registration and Transfer Record pursuant to sec-
21 tion 5841 of the Internal Revenue Code of 1986, any ap-
22 plication to transfer filed under section 5812 of the Inter-
23 nal Revenue Code of 1986 that identifies the transferee
24 of a silencer, and any application to make filed under sec-

tion 5822 of the Internal Revenue Code of 1986 that identifies the maker of a silencer.

SEC. 1506. AMENDMENTS TO TITLE 18, UNITED STATES CODE.

Title 18, United States Code, is amended—

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

“(24)(A) The terms ‘firearm silencer’ and ‘firearm muffler’ mean any device for silencing, muffling, or diminishing the report of a portable firearm, including the ‘keystone part’ of such a device.

“(B) The term ‘keystone part’ means, with respect to a firearm silencer or firearm muffler, an externally visible part of a firearm silencer or firearm muffler, without which a device capable of silencing, muffling, or diminishing the report of a portable firearm cannot be assembled, but the term does not include any interchangeable parts designed to mount a firearm silencer or firearm muffler to a portable firearm.”;

(2) in section 922(b)—

(A) in paragraph (1), by striking “shotgun or rifle” the first place it appears and inserting “shotgun, rifle, firearm silencer or firearm muffler,”; and

1 (B) in paragraph (3), by striking “rifle or
2 shotgun” and inserting “shotgun, rifle, firearm
3 silencer or firearm muffler”; and
4 (3) in section 923(i)—

5 (A) by striking “Licensed” and inserting
6 the following:

7 “(1) In the case of a firearm other than a firearm
8 silencer or firearm muffler, licensed”; and

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

10 “(2) In the case of a firearm silencer or firearm muf-
11 fler, licensed importers and licensed manufacturers shall
12 identify by means of a serial number engraved or cast on
13 the keystone part of the firearm silencer or firearm muf-
14 fler, in such manner as the Attorney General shall by reg-
15 ulations prescribe, each firearm silencer or firearm muffler
16 imported or manufactured by such importer or manufac-
17 turer, except that, if a firearm silencer or firearm muffler
18 does not have a clearly identifiable keystone part or has
19 multiple keystone parts, licensed importers or licensed
20 manufacturers shall submit a request for a marking vari-
21 ance to the Attorney General. The Attorney General shall
22 grant such a request except on showing good cause that
23 marking the firearm silencer or firearm muffler as re-
24 quested would not further the purposes of this chapter.”.

1 **SEC. 1507. IMPOSITION OF TAX ON FIREARM SILENCERS OR**
2 **FIREARM MUFFLERS.**

3 (a) IN GENERAL.—Section 4181 of the Internal Rev-
4 enue Code of 1986 is amended by adding at the end of
5 the list relating to “Articles taxable at 10 percent” the
6 following:

7 “Firearm silencers or firearm mufflers.”.

8 (b) FIREARM SILENCERS; FIREARM MUFFLERS.—
9 Section 4181 of such Code is amended by adding at the
10 end the following:

11 “For purposes of this part, the terms ‘firearm silencer’
12 and ‘firearm muffler’ mean any device for silencing, muf-
13 fling, or diminishing the report of a portable firearm.”.

14 (c) CONFORMING AMENDMENTS.—

15 (1) Section 4181 of such Code is amended by
16 striking “other than pistols and revolvers” and in-
17 serting “other than articles taxable at 10 percent
18 under this section”.

19 (2) Section 4182(b) of such Code is amended
20 by striking “firearms, pistols, revolvers, shells, and
21 cartridges” and inserting “articles described in sec-
22 tion 4181 and”.

23 (3) Section 4182(c)(1) of such Code is amended
24 by striking “or firearm” and inserting “firearm,
25 firearm silencer, or firearm muffler,”.

1 (d) EFFECTIVE DATE.—The amendments made by
 2 this section shall apply to articles sold by the manufac-
 3 turer, producer, or importer in any calendar quarter be-
 4 ginning more than 90 days after the date of the enactment
 5 of this Act.

6 **TITLE XVI—LAWFUL PURPOSE** 7 **AND SELF-DEFENSE**

8 **SEC. 1601. SHORT TITLE.**

9 This Act may be cited as the “Lawful Purpose and
 10 Self Defense Act”.

11 **SEC. 1602. ELIMINATION OF AUTHORITY TO RECLASSIFY** 12 **POPULAR RIFLE AMMUNITION AS “ARMOR** 13 **PIERCING AMMUNITION”.**

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

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

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

21 (3) in subparagraph (C), by striking “the At-
 22 torney General finds is primarily intended to be used
 23 for sporting purposes” and inserting “is primarily
 24 intended by the manufacturer or importer to be used
 25 in a rifle or shotgun, a handgun projectile that is de-

1 signed and intended by the manufacturer or im-
 2 porter to be used for hunting, recreational, or com-
 3 petitive shooting”.

4 **SEC. 1603. ELIMINATION OF RESTRICTIONS ON IMPORTA-**
 5 **TION OF NON-NATIONAL FIREARMS ACT**
 6 **FIREARM OR AMMUNITION THAT MAY OTH-**
 7 **ERWISE BE LAWFULLY POSSESSED AND SOLD**
 8 **IN THE UNITED STATES.**

9 (a) ELIMINATION OF PROHIBITIONS.—Section 922 of
 10 title 18, United States Code, is amended—

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

13 “(7) for any person to manufacture or import
 14 armor piercing ammunition, unless the manufacture
 15 or importation of the ammunition—

16 “(A) is for the use of the United States,
 17 any department or agency of the United States,
 18 any State, or any department, agency, or polit-
 19 ical subdivision of a State;

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

21 “(C) is for the purpose of testing or ex-
 22 perimentation, and has been authorized by the
 23 Attorney General;”;

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

1 (3) by striking subsection (r).

2 (b) BROADENING OF EXCEPTIONS.—Section 925 of
3 such title is amended—

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

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

11 (3) by striking subsections (d) through (f) and
12 inserting the following:

13 “(d)(1) Within 30 days after the Attorney General
14 receives an application therefor, the Attorney General
15 shall authorize a firearm or ammunition to be imported
16 or brought into the United States or any possession there-
17 of if—

18 “(A) the firearm or ammunition is being im-
19 ported or brought in for scientific, research, testing,
20 or experimentation purposes;

21 “(B) the firearm is an unserviceable firearm
22 (other than a machine gun as defined in section
23 5845(b) of the Internal Revenue Code of 1986 that
24 is readily restorable to firing condition) imported or
25 brought in as a curio or museum piece;

1 “(C) the firearm is not a firearm as defined in
2 section 5845(a) of the Internal Revenue Code of
3 1986;

4 “(D) the ammunition is not armor piercing am-
5 munition (as defined in section 921(a)(17)(B) of
6 this title), unless subparagraph (A), (E), (F), or (G)
7 applies;

8 “(E) the firearm or ammunition is being im-
9 ported or brought in for the use of the United
10 States, any department or agency of the United
11 States, any State, or any department, agency, or po-
12 litical subdivision of a State;

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

15 “(G) the firearm or ammunition was previously
16 taken out of the United States or a possession there-
17 of by the person who is bringing in the firearm or
18 ammunition; or

19 “(H) the firearm is a firearm defined as curio
20 or relic by the Attorney General under section
21 921(a)(13) of this title.

22 “(2) Within 30 days after the Attorney General re-
23 ceives an application therefor, the Attorney General shall
24 permit the conditional importation or bringing in of a fire-
25 arm or ammunition for examination and testing in connec-

tion with the making of a determination as to whether the importation or bringing in of the firearm or ammunition will be allowed under this subsection.

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

SEC. 1604. PROTECTION OF SHOTGUNS, SHOTGUN SHELLS, AND LARGE CALIBER RIFLES FROM ARBITRARY CLASSIFICATION AS “DESTRUCTIVE DEVICES”.

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

(1) in paragraph (2), by striking “recognized as particularly suitable for sporting purposes” and inserting “recognized as suitable for lawful purposes”; and

(2) by striking “use solely for sporting purposes” and inserting “use for sporting purposes”.

(b) AMENDMENTS TO TITLE 18, UNITED STATES CODE.—Section 921(a)(4) of title 18, United States Code, is amended—

(1) in subparagraph (B) of the first sentence, by striking “particularly suitable for sporting” and inserting “suitable for lawful”; and

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

2 **SEC. 1605. BROADENING OF THE TEMPORARY INTERSTATE**
 3 **TRANSFER PROVISION TO ALLOW TEM-**
 4 **PORARY TRANSFERS FOR ALL LAWFUL PUR-**
 5 **POSES RATHER THAN JUST FOR “SPORTING**
 6 **PURPOSES”.**

7 Section 922 of title 18, United States Code, is
 8 amended in each of subsections (a)(5)(B), (a)(9), and
 9 (b)(3)(B), by striking “sporting”.

10 **TITLE XVII—FEDERAL LAND**
 11 **TRANSACTION FACILITATION**
 12 **ACT REAUTHORIZATION**
 13 **(FLTFA)**

14 **SEC. 1701. SHORT TITLE.**

15 This title may be cited as the “Federal Land Trans-
 16 action Facilitation Act Reauthorization”.

17 **SEC. 1702. FEDERAL LAND TRANSACTION FACILITATION**
 18 **ACT.**

19 The Federal Land Transaction Facilitation Act is
 20 amended—

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

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

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

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

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

13 “(2) not later than 180 days after the date of
14 the enactment of the Federal Land Transaction Fa-
15 cilitation Act Reauthorization, to establish and make
16 available to the public, on the website of the Depart-
17 ment of the Interior, a database containing a com-
18 prehensive list of all the land referred to in para-
19 graph (1); and

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

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

24 (4) by amending section 206(c)(1) (43 U.S.C.
25 2305(c)(1)) to read as follows:

1 “(1) USE OF FUNDS.—

2 “(A) IN GENERAL.—Funds in the Federal
3 Land Disposal Account shall be expended, sub-
4 ject to appropriation, in accordance with this
5 subsection.

6 “(B) PURPOSES.—Except as authorized
7 under paragraph (2), funds in the Federal
8 Land Disposal Account shall be used for one or
9 more of the following purposes:

10 “(i) To purchase lands or interests
11 therein that are otherwise authorized by
12 law to be acquired and are one or more of
13 the following:

14 “(I) Inholdings.

15 “(II) Adjacent to federally des-
16 ignated areas and contain exceptional
17 resources.

18 “(III) Provide opportunities for
19 hunting, recreational fishing, rec-
20 reational shooting, and other rec-
21 reational activities.

22 “(IV) Likely to aid in the per-
23 formance of deferred maintenance or
24 the reduction of operation and main-
25 tenance costs or other deferred costs.

1 “(ii) To perform deferred mainte-
 2 nance or other maintenance activities that
 3 enhance opportunities for recreational ac-
 4 cess.”;

5 (5) in section 206(c)(2) (43 U.S.C.
 6 2305(c)(2))—

7 (A) by striking subparagraph (A);

8 (B) by redesignating subparagraphs (B),
 9 (C), and (D) as subparagraphs (A), (B), and
 10 (C), respectively;

11 (C) in subparagraph (C) (as so redesign-
 12 ated by this paragraph)—

13 (i) by striking “PURCHASES” and in-
 14 serting “LAND PURCHASES AND PERFORM-
 15 ANCE OF DEFERRED MAINTENANCE AC-
 16 TIVITIES”;

17 (ii) by striking “subparagraph (C)”
 18 and inserting “subparagraph (B)”;

19 (iii) by inserting “for the activities
 20 outlined in paragraph (2)” after “gen-
 21 erated”; and

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

23 “(D) Any funds made available under sub-
 24 paragraph (C) that are not obligated or ex-
 25 pended by the end of the fourth full fiscal year

1 after the date of the sale or exchange of land
2 that generated the funds may be expended in
3 any State.”;

4 (6) in section 206(c)(3) (43 U.S.C.
5 2305(c)(3))—

6 (A) by inserting after subparagraph (A)
7 the following:

8 “(B) the extent to which the acquisition of
9 the land or interest therein will increase the
10 public availability of resources for, and facilitate
11 public access to, hunting, fishing, and other rec-
12 reational activities;”; and

13 (B) by redesignating subparagraphs (B)
14 and (C) as subparagraphs (C) and (D);

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

17 “(2) any remaining balance in the account shall
18 be deposited in the Treasury and used for deficit re-
19 duction, except that in the case of a fiscal year for
20 which there is no Federal budget deficit, such
21 amounts shall be used to reduce the Federal debt (in
22 such manner as the Secretary of the Treasury con-
23 siders appropriate).”; and

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

25 (A) in paragraph (1)—

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

3 (ii) by striking “; or” and inserting a
4 semicolon;

5 (B) in paragraph (2)—

6 (i) by inserting “Public Law 105–
7 263;” before “112 Stat.”; and

8 (ii) by striking the period at the end
9 and inserting a semicolon; and

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

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

14 “(4) the Lincoln County Conservation, Recre-
15 ation, and Development Act of 2004 (Public Law
16 108–424; 118 Stat. 2403);

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

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

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

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

4 **TITLE XVIII—FILM CREWS**

5 **SEC. 1801. ANNUAL PERMIT AND FEE FOR FILM CREWS OF** 6 **5 PERSONS OR FEWER.**

7 Section 100905 of title 54, United States Code, is
 8 amended as follows:

9 (1) In subsection (a)—

10 (A) in paragraph (1), by striking “provide
 11 a fair return to the United States” and insert
 12 “be sufficient to cover the cost of a film permit
 13 and other administrative and personnel costs”;
 14 and

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

16 “(3) FILM CREW OF 5 PERSONS OR FEWER.—
 17 For a commercial film crew of 5 persons or fewer for
 18 commercial filming activities or similar projects on
 19 Federal land and waters administered by the Sec-
 20 retary the Secretary shall—

21 “(A) assess an annual fee in an amount
 22 sufficient to cover the administrative cost of
 23 issuing a permit under this section, but not
 24 greater than \$200; and

1 “(B) require a permit which shall be valid
 2 for commercial filming activities or similar
 3 projects that occur in areas designated for pub-
 4 lic use during public hours on all Federal land
 5 and waterways administered by the Secretary
 6 for a 1-year period beginning on the date of
 7 issuance of the permit.”.

8 (2) By striking subsection (b) and redesign-
 9 nating subsections (c), (d), (e), and (f) as sub-
 10 sections (b), (c), (d), and (e), respectively.

11 (3) In subsection (b), as redesignated by this
 12 section, by adding at the end the following:

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

17 (4) In subsection (e), as redesignated by this
 18 section—

19 (A) by striking “The Secretary” and in-
 20 serting the following:

21 “(1) TIMING.—The Secretary”; and

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

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

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

2 “(f) EXEMPTION FROM COMMERCIAL FILMING OR
3 STILL PHOTOGRAPHY PERMITS AND FEES.—The Sec-
4 retary shall not require persons holding commercial use
5 authorizations or special recreation permits to obtain an
6 additional permit or pay an additional fee for commercial
7 filming or still photography under this section if—

8 “(1) the filming or still photography conducted
9 is incidental to the permitted activity that is the
10 subject of the commercial use authorization or spe-
11 cial recreation permit; and

12 “(2) the holder of the commercial use author-
13 ization or special recreation permit is an individual
14 or small business concern (within the meaning of
15 section 3 of the Small Business Act (15 U.S.C.
16 632)).

17 “(g) NEWS GATHERING ACTIVITIES.—For the pur-
18 poses of this section, a news gathering shall not be consid-
19 ered a commercial activity.

20 “(h) DEFINITIONS.—For the purposes of this sec-
21 tion—

22 “(1) the term ‘commercial film crew’ means any
23 persons present on Federal land or water under the
24 jurisdiction of the Secretary who are associated with
25 the production of a film;

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

4 “(3) the term ‘Secretary’ means the Secretary
5 of the Interior or the Secretary of Agriculture, as
6 applicable, with respect to land under the respective
7 jurisdiction of such Secretary.”.

8 **TITLE XIX—RESPECT FOR STATE**
9 **WILDLIFE MANAGEMENT AU-**
10 **THORITY**

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

12 Nothing in this Act shall be construed as interfering
13 with, diminishing, or conflicting with the authority, juris-
14 diction, or responsibility of any State to exercise primary
15 management, control, or regulation of fish and wildlife
16 under State law on land or water within the State, includ-
17 ing on Federal land administered by the Bureau of Land
18 Management or the Forest Service.

19 **SEC. 1902. FEDERAL LICENSES.**

20 Nothing in this Act, shall be construed to authorize
21 the head of a Federal agency to require a license, fee, or
22 permit to fish, hunt, or trap on land or water in a State,
23 including on Federal land in the State, except that this
24 paragraph shall not affect the Migratory Bird Stamp re-

1 quirement set forth in the Migratory Bird Hunting and
2 Conservation Stamp Act (16 U.S.C. 718 et seq.).

3 **SEC. 1903. COOPERATION WITH STATE FISH AND WILDLIFE**
4 **AGENCIES ON MANAGEMENT PLANS.**

5 (a) USE OF STATE FISH AND WILDLIFE DATA AND
6 ANALYSES.—The Secretary of the Interior and the Sec-
7 retary of Agriculture shall prioritize coordination and co-
8 operation with the appropriate State fish and wildlife
9 agencies to recognize and fully utilize State fish and wild-
10 life data and analyses, unless such data or analyses are
11 proprietary or protected from disclosure under State law,
12 as a primary source to inform—

13 (1) land and resource management plans for
14 units of the National Forest System developed under
15 section 6 of the Forest and Rangeland Renewable
16 Resources Planning Act of 1974 (16 U.S.C. 1604);

17 (2) land use plans developed under section 202
18 of the Federal Land Policy and Management Act of
19 1976 (43 U.S.C. 1712);

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

23 (4) project planning and execution; and

24 (5) related natural resource policies and deci-
25 sions.

- 1 (b) SHARING DATA.—Federal agencies shall evaluate
- 2 and utilize existing analysis of data on fish and wildlife
- 3 populations prepared by the appropriate State and share
- 4 Federal data with State fish and wildlife managers.

