

112<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4089

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## AN ACT

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

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the  
3 “Sportsmen’s Heritage Act of 2012”.

4 (b) TABLE OF CONTENTS.—The table of contents for  
5 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—RECREATIONAL FISHING AND HUNTING HERITAGE AND  
OPPORTUNITIES

Sec. 101. Short title.

Sec. 102. Findings.

Sec. 103. Definition.

Sec. 104. Recreational fishing, hunting, and shooting.

TITLE II—RECREATIONAL SHOOTING PROTECTION

Sec. 201. Short title.

Sec. 202. Definitions.

Sec. 203. Recreational shooting.

TITLE III—POLAR BEAR CONSERVATION AND FAIRNESS

Sec. 301. Short title.

Sec. 302. Permits for importation of polar bear trophies taken in sport hunts  
in Canada.

TITLE IV—HUNTING, FISHING, AND RECREATIONAL SHOOTING  
PROTECTION

Sec. 401. Short title.

Sec. 402. Modification of definition.

TITLE V—HUNTING IN KISATCHIE NATIONAL FOREST

Sec. 501. Hunting in Kisatchie National Forest.

TITLE VI—DESIGNATION OF AND RESTRICTIONS ON NATIONAL  
MONUMENTS

Sec. 601. Designation of and restrictions on national monuments.

1 **TITLE I—RECREATIONAL FISH-**  
2 **ING AND HUNTING HERITAGE**  
3 **AND OPPORTUNITIES**

4 **SEC. 101. SHORT TITLE.**

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

7 **SEC. 102. FINDINGS.**

8 Congress finds that—

9 (1) recreational fishing and hunting are impor-  
10 tant and traditional activities in which millions of  
11 Americans participate;

12 (2) recreational anglers and hunters have been  
13 and continue to be among the foremost supporters  
14 of sound fish and wildlife management and conserva-  
15 tion in the United States;

16 (3) recreational fishing and hunting are envi-  
17 ronmentally acceptable and beneficial activities that  
18 occur and can be provided on Federal public lands  
19 and waters without adverse effects on other uses or  
20 users;

21 (4) recreational anglers, hunters, and sporting  
22 organizations provide direct assistance to fish and  
23 wildlife managers and enforcement officers of the  
24 Federal Government as well as State and local gov-

1 ernments by investing volunteer time and effort to  
2 fish and wildlife conservation;

3 (5) recreational anglers, hunters, and the asso-  
4 ciated industries have generated billions of dollars of  
5 critical funding for fish and wildlife conservation, re-  
6 search, and management by providing revenues from  
7 purchases of fishing and hunting licenses, permits,  
8 and stamps, as well as excise taxes on fishing, hunt-  
9 ing, and shooting equipment that have generated bil-  
10 lions of dollars of critical funding for fish and wild-  
11 life conservation, research, and management;

12 (6) recreational shooting is also an important  
13 and traditional activity in which millions of Ameri-  
14 cans participate, safe recreational shooting is a valid  
15 use of Federal public lands, including the establish-  
16 ment of safe and convenient shooting ranges on such  
17 lands, and participation in recreational shooting  
18 helps recruit and retain hunters and contributes to  
19 wildlife conservation;

20 (7) opportunities to recreationally fish, hunt,  
21 and shoot are declining, which depresses participa-  
22 tion in these traditional activities, and depressed  
23 participation adversely impacts fish and wildlife con-  
24 servation and funding for important conservation ef-  
25 forts; and

1           (8) the public interest would be served, and our  
2 citizens' fish and wildlife resources benefitted, by ac-  
3 tion to ensure that opportunities are facilitated to  
4 engage in fishing and hunting on Federal public  
5 land as recognized by Executive Order No. 12962,  
6 relating to recreational fisheries, and Executive  
7 Order No. 13443, relating to facilitation of hunting  
8 heritage and wildlife conservation.

9 **SEC. 103. DEFINITION.**

10       In this title:

11           (1) FEDERAL PUBLIC LAND.—

12               (A) IN GENERAL.—Except as provided in  
13 subparagraph (B), the term “Federal public  
14 land” means any land or water that is—

15                   (i) owned by the United States; and

16                   (ii) managed by a Federal agency (in-  
17 cluding the Department of the Interior and  
18 the Forest Service) for purposes that in-  
19 clude the conservation of natural resources.

20           (B) EXCLUSION.—The term “Federal pub-  
21 lic land” does not include any land or water  
22 held in trust for the benefit of Indians or other  
23 Native Americans.

24           (2) HUNTING.—

1 (A) IN GENERAL.—Except as provided in  
2 subparagraph (B), the term “hunting” means  
3 use of a firearm, bow, or other authorized  
4 means in the lawful—

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

7 (ii) attempt to pursue, shoot, capture,  
8 collect, trap, or kill wildlife; or

9 (iii) the training of hunting dogs, in-  
10 cluding field trials.

11 (B) EXCLUSION.—The term “hunting”  
12 does not include the use of skilled volunteers to  
13 cull excess animals (as defined by other Federal  
14 law, including laws applicable to the National  
15 Park System).

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

18 (A) pursuit, capture, collection, or killing  
19 of fish; or

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

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

1 **SEC. 104. RECREATIONAL FISHING, HUNTING, AND SHOOT-**  
2 **ING.**

3 (a) IN GENERAL.—Subject to valid existing rights  
4 and subsection (g), and cooperation with the respective  
5 State and fish and wildlife agency, Federal public land  
6 management officials shall exercise their authority under  
7 existing law, including provisions regarding land use plan-  
8 ning, to facilitate use of and access to Federal public  
9 lands, including Wilderness Areas, Wilderness Study  
10 Areas, or lands administratively classified as wilderness el-  
11 igible or suitable and primitive or semi-primitive areas, for  
12 fishing, sport hunting, and recreational shooting except as  
13 limited by—

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

17 (2) any other Federal statute that specifically  
18 precludes recreational fishing, hunting, or shooting  
19 on specific Federal public lands, waters, or units  
20 thereof; and

21 (3) discretionary limitations on recreational  
22 fishing, hunting, and shooting determined to be nec-  
23 essary and reasonable as supported by the best sci-  
24 entific evidence and advanced through a transparent  
25 public process.

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

4 (1) in a manner that supports and facilitates  
5 recreational fishing, hunting, and shooting opportu-  
6 nities;

7 (2) to the extent authorized under applicable  
8 State law; and

9 (3) in accordance with applicable Federal law.

10 (c) PLANNING.—

11 (1) EFFECTS OF PLANS AND ACTIVITIES.—

12 (A) EVALUATION OF EFFECTS ON OPPOR-  
13 TUNITIES TO ENGAGE IN RECREATIONAL FISH-  
14 ING, HUNTING, OR SHOOTING.—Federal public  
15 land planning documents, including land re-  
16 sources management plans, resource manage-  
17 ment plans, travel management plans, general  
18 management plans, and comprehensive con-  
19 servation plans, shall include a specific evalua-  
20 tion of the effects of such plans on opportuni-  
21 ties to engage in recreational fishing, hunting,  
22 or shooting.

23 (B) NOT MAJOR FEDERAL ACTION.—No  
24 action taken under this title, or under section  
25 4 of the National Wildlife Refuge System Ad-



1           ministration Act of 1966 (16 U.S.C. 668dd), as  
2           amended by the National Wildlife Refuge Sys-  
3           tem Improvement Act of 1997, either individ-  
4           ually or cumulatively with other actions involv-  
5           ing Federal public lands, shall be considered to  
6           be a major Federal action significantly affecting  
7           the quality of the human environment, and no  
8           additional identification, analysis, or consider-  
9           ation of environmental effects, including cumu-  
10          lative effects, is necessary or required.

11           (C) OTHER ACTIVITY NOT CONSIDERED.—  
12          Federal public land management officials are  
13          not required to consider the existence or avail-  
14          ability of recreational fishing, hunting, or shoot-  
15          ing opportunities on adjacent or nearby public  
16          or private lands in the planning for or deter-  
17          mination of which Federal public lands are  
18          open for these activities or in the setting of lev-  
19          els of use for these activities on Federal public  
20          lands, unless the combination or coordination of  
21          such opportunities would enhance the rec-  
22          reational fishing, hunting, or shooting opportu-  
23          nities available to the public.

24           (2) USE OF VOLUNTEERS.—If hunting is pro-  
25          hibited by law, all Federal public land planning doc-

1       uments listed in paragraph (1)(A) of an agency  
2       shall, after appropriate coordination with State fish  
3       and wildlife agencies, allow the participation of  
4       skilled volunteers in the culling and other manage-  
5       ment of wildlife populations on Federal public lands  
6       unless the head of the agency demonstrates, based  
7       on the best scientific data available or applicable  
8       Federal statutes, why skilled volunteers shall not be  
9       used to control overpopulations of wildlife on the  
10      land that is the subject of the planning documents.

11      (d) BUREAU OF LAND MANAGEMENT AND FOREST  
12      SERVICE LANDS.—

13           (1) LANDS OPEN.—Lands under the jurisdic-  
14      tion of the Bureau of Land Management and the  
15      Forest Service, including Wilderness Areas, Wilder-  
16      ness Study Areas, lands designated as wilderness or  
17      administratively classified as wilderness eligible or  
18      suitable and primitive or semi-primitive areas but  
19      excluding lands on the Outer Continental Shelf, shall  
20      be open to recreational fishing, hunting, and shoot-  
21      ing unless the managing Federal agency acts to  
22      close lands to such activity. Lands may be subject  
23      to closures or restrictions if determined by the head  
24      of the agency to be necessary and reasonable and  
25      supported by facts and evidence, for purposes includ-

1 ing resource conservation, public safety, energy or  
2 mineral production, energy generation or trans-  
3 mission infrastructure, water supply facilities, pro-  
4 tection of other permittees, protection of private  
5 property rights or interests, national security, or  
6 compliance with other law.

7 (2) SHOOTING RANGES.—

8 (A) IN GENERAL.—The head of each Fed-  
9 eral agency shall use his or her authorities in  
10 a manner consistent with this Act and other ap-  
11 plicable law, to—

12 (i) lease or permit use of lands under  
13 the jurisdiction of the agency for shooting  
14 ranges; and

15 (ii) designate specific lands under the  
16 jurisdiction of the agency for recreational  
17 shooting activities.

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

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

3 (1) MINIMUM REQUIREMENTS FOR ADMINIS-  
4 TRATION.—The provision of opportunities for hunt-  
5 ing, fishing and recreational shooting, and the con-  
6 servation of fish and wildlife to provide sustainable  
7 use recreational opportunities on designated wilder-  
8 ness areas on Federal public lands shall constitute  
9 measures necessary to meet the minimum require-  
10 ments for the administration of the wilderness area.

11 (2) The term “within and supplemental to”  
12 Wilderness purposes in section 4(a) of Public Law  
13 88–577, means that any requirements imposed by  
14 that Act shall be implemented only insofar as they  
15 do not prevent Federal public land management offi-  
16 cials and State fish and wildlife officials from car-  
17 rying out their wildlife conservation responsibilities  
18 or providing recreational opportunities on the Fed-  
19 eral public lands subject to a wilderness designation.

20 (3) Paragraphs (1) and (2) are not intended to  
21 authorize or facilitate commodity development, use,  
22 or extraction, or motorized recreational access or  
23 use.

24 (f) REPORT.—Not later than October 1 of every other  
25 year, beginning with the second October 1 after the date

1 of the enactment of this Act, the head of each Federal  
2 agency who has authority to manage Federal public land  
3 on which fishing, hunting, or recreational shooting occurs  
4 shall submit to the Committee on Natural Resources of  
5 the House of Representatives and the Committee on En-  
6 ergy and Natural Resources of the Senate a report that  
7 describes—

8           (1) any Federal public land administered by the  
9           agency head that was closed to recreational fishing,  
10          sport hunting, or shooting at any time during the  
11          preceding year; and

12           (2) the reason for the closure.

13          (g) CLOSURES OR SIGNIFICANT RESTRICTIONS OF  
14 640 OR MORE ACRES.—

15           (1) IN GENERAL.—Other than closures estab-  
16          lished or prescribed by land planning actions re-  
17          ferred to in subsection (d) or emergency closures de-  
18          scribed in paragraph (3) of this subsection, a perma-  
19          nent or temporary withdrawal, change of classifica-  
20          tion, or change of management status of Federal  
21          public land that effectively closes or significantly re-  
22          stricts 640 or more contiguous acres of Federal pub-  
23          lic land to access or use for fishing or hunting or ac-  
24          tivities related to fishing and hunting (or both) shall  
25          take effect only if, before the date of withdrawal or

1 change, the head of the Federal agency that has ju-  
2 risdiction over the Federal public land—

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) AGGREGATE OR CUMULATIVE EFFECTS.—If  
14 the aggregate or cumulative effect of separate with-  
15 drawals or changes effectively closes or significantly  
16 restricts 1280 or more acres of land or water, such  
17 withdrawals and changes shall be treated as a single  
18 withdrawal or change for purposes of paragraph (1).

19 (3) EMERGENCY CLOSURES.—Nothing in this  
20 Act prohibits a Federal land management agency  
21 from establishing or implementing emergency clo-  
22 sures or restrictions of the smallest practicable area  
23 to provide for public safety, resource conservation,  
24 national security, or other purposes authorized by  
25 law. Such an emergency closure shall terminate after

1 a reasonable period of time unless converted to a  
2 permanent closure consistent with this Act.

3 (4) NATIONAL WILDLIFE REFUGE SYSTEM.—  
4 Nothing in this Act is intended to amend or modify  
5 the provisions of the National Wildlife Refuge Sys-  
6 tem Administration Act of 1966 (16 U.S.C. 668dd  
7 et seq.), except as expressly provided herein.

8 (h) AREAS NOT AFFECTED.—Nothing in this title re-  
9 quires the opening of national park or national monu-  
10 ments under the jurisdiction of the National Park Service  
11 to hunting or recreational shooting.

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

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

21 (k) AUTHORITY OF THE STATES.—

22 (1) IN GENERAL.—Nothing in this title shall be  
23 construed as interfering with, diminishing, or con-  
24 flicting with the authority, jurisdiction, or responsi-  
25 bility of any State to manage, control, or regulate

1 fish and wildlife under State law (including regula-  
2 tions) on land or water within the State, including  
3 on Federal public land.

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

## 12 **TITLE II—RECREATIONAL** 13 **SHOOTING PROTECTION**

### 14 **SEC. 201. SHORT TITLE.**

15 This title may be cited as the “Recreational Shooting  
16 Protection Act”.

### 17 **SEC. 202. DEFINITIONS.**

18 In this title:

19 (1) DIRECTOR.—The term “Director” means  
20 the Director of the Bureau of Land Management.

21 (2) NATIONAL MONUMENT LAND.—The term  
22 “National Monument land” has the meaning given  
23 that term in the Act of June 8, 1908 (commonly  
24 known as the “Antiquities Act”; 16 U.S.C. 431 et  
25 seq.).



1           (3) RECREATIONAL SHOOTING.—The term  
2           “recreational shooting” includes 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. 203. RECREATIONAL SHOOTING.**

7           (a) IN GENERAL.—Subject to valid existing rights,  
8 National Monument land under the jurisdiction of the Bu-  
9 reau of Land Management shall be open to access and  
10 use for recreational shooting, except such closures and re-  
11 strictions determined by the Director to be necessary and  
12 reasonable and supported by facts and evidence for one  
13 or more of the following:

14           (1) Reasons of national security.

15           (2) Reasons of public safety.

16           (3) To comply with an applicable Federal stat-  
17 ute.

18           (4) To comply with a law (including regula-  
19 tions) of the State in which the National Monument  
20 land is located that is applicable to recreational  
21 shooting.

22           (b) NOTICE; REPORT.—

23           (1) REQUIREMENT.—Except as set forth in  
24 paragraph (2)(B), before a restriction or closure

1 under subsection (a) is made effective, the Director  
2 shall—

3 (A) publish public notice of such closure or  
4 restriction in a newspaper of general circulation  
5 in the area where the closure or restriction will  
6 be carried out; and

7 (B) submit to Congress a report detailing  
8 the location and extent of, and evidence justi-  
9 fying, such a closure or restriction.

10 (2) TIMING.—The Director shall issue the no-  
11 tice and report required under paragraph (1)—

12 (A) before the closure if practicable with-  
13 out risking national security or public safety;  
14 and

15 (B) in cases where such issuance is not  
16 practicable for reasons of national security or  
17 public safety, not later than 30 days after the  
18 closure.

19 (c) CESSATION OF CLOSURE OR RESTRICTION.—A  
20 closure or restriction under paragraph (1) or (2) of sub-  
21 section (a) shall cease to be effective—

22 (1) effective on the day after the last day of the  
23 six-month period beginning on the date on which the  
24 Director submitted the report to Congress under  
25 subsection (b)(2) regarding the closure or restric-

1       tion, unless the closure or restriction has been ap-  
2       proved by Federal law; and

3               (2) 30 days after the date of the enactment of  
4       a Federal law disapproving the closure or restriction.

5       (d) MANAGEMENT.—Consistent with subsection (a),  
6       the Director shall manage National Monument land under  
7       the jurisdiction of the Bureau of Land Management—

8               (1) in a manner that supports, promotes, and  
9       enhances recreational shooting opportunities;

10              (2) to the extent authorized under State law  
11       (including regulations); and

12              (3) in accordance with applicable Federal law  
13       (including regulations).

14       (e) LIMITATION ON DUPLICATIVE CLOSURES OR RE-  
15       STRICTIONS.—Unless supported by criteria under sub-  
16       section (a) as a result of a change in circumstances, the  
17       Director may not issue a closure or restriction under sub-  
18       section (a) that is substantially similar to closure or re-  
19       striction previously issued that was not approved by Fed-  
20       eral law.

21       (f) EFFECTIVE DATE FOR PRIOR CLOSURES AND RE-  
22       STRICTIONS.—On the date that is 6 months after the date  
23       of the enactment of this Act, this title shall apply to clo-  
24       sures and restrictions in place on the date of the enact-  
25       ment of this title that relate to access and use for rec-

1 recreational shooting on National Monument land under the  
2 jurisdiction of the Bureau of Land Management.

3 (g) ANNUAL REPORT.—Not later than October 1 of  
4 each year, the Director shall submit to the Committee on  
5 Natural Resources of the House of Representatives and  
6 the Committee on Energy and Natural Resources of the  
7 Senate a report that describes—

8 (1) any National Monument land under the ju-  
9 risdiction of the Bureau of Land Management that  
10 was closed to recreational shooting or on which rec-  
11 reational shooting was restricted at any time during  
12 the preceding year; and

13 (2) the reason for the closure.

14 (h) NO PRIORITY.—Nothing in this title requires the  
15 Director to give preference to recreational shooting over  
16 other uses of Federal public land or over land or water  
17 management priorities established by Federal law.

18 (i) AUTHORITY OF THE STATES.—

19 (1) SAVINGS.—Nothing in this title affects the  
20 authority, jurisdiction, or responsibility of a State to  
21 manage, control, or regulate fish and wildlife under  
22 State law (including regulations) on land or water in  
23 the State, including Federal public land.

24 (2) FEDERAL LICENSES.—Nothing in this title  
25 authorizes the Director to require a license for rec-

1 reational shooting on land or water in a State, in-  
2 cluding on Federal public land in the State.

3 (j) CONTROLLING PROVISIONS.—In any instance  
4 when one or more provisions in title I and in this title  
5 may be construed to apply in an inconsistent manner to  
6 National Monument land, the provisions in this title shall  
7 take precedence and apply.

8 **TITLE III—POLAR BEAR**  
9 **CONSERVATION AND FAIRNESS**

10 **SEC. 301. SHORT TITLE.**

11 This title may be cited as the “Polar Bear Conserva-  
12 tion and Fairness Act of 2012”.

13 **SEC. 302. 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  
18 to read as follows:

19 “(D)(i) The Secretary of the Interior shall, ex-  
20 peditiously after the expiration of the applicable 30-  
21 day period under subsection (d)(2), issue a permit  
22 for the importation of any polar bear part (other  
23 than an internal organ) from a polar bear taken in  
24 a sport hunt 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;  
4           or

5           “(II) who has submitted, in support of a  
6           permit application submitted before May 15,  
7           2008, proof that the polar bear was legally har-  
8           vested by the person before May 15, 2008, from  
9           a polar bear population from which a sport-  
10          hunted trophy could be imported before that  
11          date in accordance with section 18.30(i) of title  
12          50, Code of Federal Regulations.

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

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

1 permit issued under clause (i)(II). This clause shall  
2 not apply to polar bear parts that were imported be-  
3 fore the date of enactment of the Polar Bear Con-  
4 servation and Fairness Act of 2012.”.

5 **TITLE IV—HUNTING, FISHING,**  
6 **AND RECREATIONAL SHOOT-**  
7 **ING PROTECTION**

8 **SEC. 401. SHORT TITLE.**

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

11 **SEC. 402. MODIFICATION OF DEFINITION.**

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

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

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

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

21 “(vii) any sport fishing equipment (as  
22 such term is defined in subsection (a) of  
23 section 4162 of the Internal Revenue Code  
24 of 1986) the sale of which is subject to the  
25 tax imposed by section 4161(a) of such

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

6 **TITLE V—HUNTING IN**  
7 **KISATCHIE NATIONAL FOREST**

8 **SEC. 501. HUNTING IN KISATCHIE NATIONAL FOREST.**

9 (a) IN GENERAL.—Consistent with the Act of June  
10 4, 1897 (16 U.S.C. 551), the Secretary of Agriculture may  
11 not restrict the use of dogs in deer hunting activities in  
12 Kisatchie National Forest, unless such restrictions—

13 (1) apply to the smallest practicable portions of  
14 such unit; and

15 (2) are necessary to reduce or control trespass  
16 onto land adjacent to such unit.

17 (b) PRIOR RESTRICTIONS VOID.—Any restrictions re-  
18 garding the use of dogs in deer hunting activities in  
19 Kisatchie National Forest in force on the date of the en-  
20 actment of this Act shall be void and have no force or  
21 effect.



1 **TITLE VI—DESIGNATION OF AND**  
2 **RESTRICTIONS ON NATIONAL**  
3 **MONUMENTS**

4 **SEC. 601. DESIGNATION OF AND RESTRICTIONS ON NA-**  
5 **TIONAL MONUMENTS.**

6 (a) DESIGNATION.—No national monument des-  
7 ignated by presidential proclamation shall be valid until  
8 the Governor and the legislature of each State within the  
9 boundaries of the proposed national monument have ap-  
10 proved of such designation.

11 (b) RESTRICTIONS.—The Secretary of the Interior  
12 shall not implement any restrictions on the public use of  
13 a national monument until the expiration of an appro-  
14 priate review period (determined by the Secretary of the  
15 Interior) providing for public input.

Passed the House of Representatives April 17, 2012.

Attest:

*Clerk.*

112<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 4089**

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**AN ACT**

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