

MAKE SWAPS EFFICIENT ACT OF 2025

SEPTEMBER 15, 2025.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. WESTERMAN, from the Committee on Natural Resources,
submitted the following

R E P O R T

[To accompany H.R. 1676]

The Committee on Natural Resources, to whom was referred the bill (H.R. 1676) to amend the Pittman-Robertson Wildlife Restoration Act to require the Secretary of the Interior to approve the wildlife conservation and restoration program of a State within a certain period of time, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Make SWAPs Efficient Act of 2025” or the “Make State Wildlife Action Plans Efficient Act of 2025”.

SEC. 2. TIMING OF APPROVAL OF WILDLIFE CONSERVATION AND RESTORATION PROGRAM.

Section 4(e)(3) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669c(e)(3)) is amended—

(1) by inserting “, not later than 180 days after the date on which the State submitted the comprehensive plan,” after “, the Secretary”;

(2) by striking “, as redesignated”;

(3) by striking “If the Secretary” and inserting “(A) If the Secretary”; and

(4) by adding at the end the following:

“(B) Upon submission of a comprehensive plan by a State under paragraph (1), the Secretary shall conditionally authorize the implementation of the wildlife conservation and restoration program of the State and shall set aside amounts as described in subparagraph (A).

“(C) The Secretary, in consultation with the States, shall develop a process to ensure sufficient and timely review of comprehensive plans submitted by States under paragraph (1) and final approval of the wildlife conservation and restoration program of such States not later than 180 days after the date on which a State submits such a comprehensive plan.

“(D) It is the intent of Congress that the Secretary prioritize the—

“(i) timely review of comprehensive plans submitted by States under paragraph (1); and

“(ii) approval of the wildlife conservation and restoration programs of such States.

“(E) Not later than June 1 of the year immediately following the year in which a State submits a comprehensive plan under paragraph (1), if the Secretary does not approve the wildlife conservation and restoration program of the State under subparagraph (A) within the time described in that subparagraph, the Secretary shall submit to the Chair and Ranking Member of the Committee on Natural Resources of the House of Representatives and the Environment and Public Works Committee of the Senate a report regarding the status of such comprehensive plan and including the reason why the wildlife conservation and restoration program was not so approved.”.

PURPOSE OF THE LEGISLATION

The purpose of H.R. 1676 is to amend the Pittman-Robertson Wildlife Restoration Act to require the Secretary of the Interior to approve the wildlife conservation and restoration program of a State within a certain period of time.

BACKGROUND AND NEED FOR LEGISLATION

In 2000, Congress amended the Pittman-Robertson Wildlife Restoration Act to include a subaccount known as the Wildlife Conservation and Restoration Account (Account).¹ The Account provides appropriated funding to states and territories for wildlife restoration and conservation.² Specifically, the funds must be used “for the development, revision, and implementation of wildlife conservation and restoration plans and programs.”³

These plans, known as State Wildlife Action Plans (SWAPs), serve as a blueprint for identifying each state and territory’s unique conservation needs. Congress required each SWAP to provide information addressing eight elements: (1) distribution and abundance of wildlife species; (2) locations and condition of key habitats and community types; (3) wildlife and habitat threats; (4) conservation actions to address these threats; (5) plans for monitoring species, habitats and the effectiveness of conservation actions; (6) plans for review and adaptive management of the strategy; (7) plans to coordinate strategy development, implementation, and review with federal, state, local agencies, and Indian tribes; and (8) opportunities for broad public participation in plan development and implementation.⁴

In 2000, Congress also created the State Wildlife Grant Program (SWGP) to provide funding to state and territory fish and wildlife agencies to implement their SWAPs.⁵ The apportionment formula is one-third based on the total land area of the state and two-thirds based on each state’s population.⁶ By law, states must have an updated SWAP to receive funding through the SWGP. These SWAPs

¹“The Pittman-Robertson Wildlife Restoration Act.” Congressional Research Service. October 12, 2022. https://www.congress.gov/crs_external_products/IF/PDF/IF12229/IF12229.1.pdf.

²*Id.*

³Public Law 106–553, Federal Funding Fiscal Year 2001. <https://www.govinfo.gov/content/pkg/PLAW-106publ553/pdf/PLAW-106publ553.pdf>.

⁴*Id.* “The Eight Required Elements to include in Comprehensive Wildlife Conservation Plans (State Wildlife Action Plans).” Association of Fish and Wildlife Agencies. https://www.fishwildlife.org/application/files/5815/7125/4229/SWAP_Eight_Required_Elements.pdf.

⁵“The State and Tribal Wildlife Grant Programs: 20 Years of Conservation Success.” September 2020, U.S. Fish & Wildlife Service. https://www.fishwildlife.org/application/files/2616/0087/6829/STWG_2020_Report_Final.pdf.

⁶“About State Wildlife Action Plans.” Origins of the State Wildlife Action Plans. University of Michigan Department of Natural Resources and Environment. https://seas.umich.edu/ecomgt/swap/About_SWAPs.html.

must be updated every ten years. In 2025, 44 states, the District of Columbia, and three territories are up for renewal.⁷

In the past, the approval process for SWAPs has taken as long as 18 months due to bureaucratic delays at the U.S. Fish and Wildlife Service (FWS). To help address these delays and the upcoming increase of SWAPs for review, in December of 2024, the Association of Fish and Wildlife Agencies and the FWS entered into a memorandum of understanding (MOU) to encourage more timely reviews of SWAPs⁸ and worked together to develop a simplified review procedure.⁹

H.R. 1676 follows up on work done through the MOU by directing the Secretary of the Interior to approve SWAPs within 180 days of submission. The bill, as amended, provides for conditional approval of a SWAP upon its submission to the FWS, allowing for funding to immediately flow to the state agency. It also provides congressional backing to efforts by the states and the FWS to develop an efficient process to approve SWAPs within 180 days and states it is the intent of Congress for SWAPs to be approved in a timely manner. In addition, the Service must report to Congress by June 1st of the year immediately following the submission of a SWAP if that SWAP has not been approved and the reasons for it not being approved.

COMMITTEE ACTION

H.R. 1676 was introduced on February 27, 2025, by Representative Byron Donalds (R-FL). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on Water, Wildlife and Fisheries. On June 24, 2025, the Subcommittee on Water, Wildlife and Fisheries held a hearing on the bill. On July 15, 2025, the Committee on Natural Resources met to consider the bill. The Subcommittee on Water, Wildlife and Fisheries was discharged from further consideration of H.R. 1676 by unanimous consent. Chairman Bruce Westerman (R-AR) offered an Amendment in the Nature of a Substitute designated Westerman_029 ANS. The Amendment in the Nature of a Substitute was agreed to by unanimous consent. The bill, as amended, was ordered favorably reported to the House of Representatives by unanimous consent.

HEARINGS

For the purposes of clause 3(c)(6) of House rule XIII, the following hearing was used to develop or consider this measure: hearing by the Subcommittee on Water, Wildlife and Fisheries held on June 24, 2025.

⁷ “State Wildlife Action Plans 2025 Revisions.” Wildlife for All. https://wildlifeforall.us/wp-content/uploads/2024/10/Wildlifeforall_SWAP_2025_Revision_List.pdf.

⁸ “Memorandum”. Paul Rauch and Judy Camuso. U.S. Fish and Wildlife Service and Association of Fish and Wildlife Agencies. December 9, 2024. https://www.fishwildlife.org/application/files/4817/4024/5170/SWAP_Comprehensive_Review_2025_Joint_Memo_Signed_Dec_9-2024-FINAL.pdf.

⁹ “SWAP Summary Template” U.S. Fish and Wildlife Service. <https://fawiki.fws.gov/spaces/WSFRP/pages/26837115/State+Wildlife+Grant+Program?preview=/26837115/344096773/SWAP%20Summary%20Template.xlsx>.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

Section 1 establishes that this Act may be cited as the “Make SWAPs Efficient Act of 2025” or the “Make State Wildlife Action Plans Efficient Act of 2025”.

Section 2. Timing of approval of Wildlife Conservation and Restoration Program

Section 2 requires the FWS to approve or deny SWAPs within 180 days of being submitted and provides for conditional approval of SWAPs upon their submission to the FWS. In addition, this section requires FWS, in consultation with the states, to develop a process to ensure SWAPs are approved within 180 days and states that it is the intent of Congress that the FWS prioritize the timely review of SWAPs and state wildlife conservation and restoration programs. To provide accountability, this section requires the FWS to report to Congress by June 1st of the year immediately the submission of a SWAP if that SWAP has not been approved and the reasons for it not being approved.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Natural Resources’ oversight findings and recommendations are reflected in the body of this report.

COMPLIANCE WITH HOUSE RULE XIII AND CONGRESSIONAL BUDGET ACT

1. *Cost of Legislation and the Congressional Budget Act.* Pursuant to clause 3(c)(2) of House rule XIII and section 308(a) of the Congressional Budget Act of 1974, and pursuant to clause 3(c)(3) of House rule XIII and section 402 of the Congressional Budget Act of 1974, the Committee has requested but not received from the Director of the Congressional Budget Office a budgetary analysis and a cost estimate of this bill.

2. *General Performance Goals and Objectives.* As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill is to amend the Pittman-Robertson Wildlife Restoration Act to require the Secretary of the Interior to approve the wildlife conservation and restoration program of a state within a certain period of time.

EARMARK STATEMENT

This bill does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined under clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives.

UNFUNDED MANDATES REFORM ACT STATEMENT

An estimate of federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act was not made available to the Com-

mittee in time for the filing of this report. The Chair of the Committee shall cause such estimate to be printed in the Congressional Record upon its receipt by the Committee, if such estimate is not publicly available on the Congressional Budget Office website.

EXISTING PROGRAMS

Directed Rule Making. This bill does not contain any directed rule makings.

Duplication of Existing Programs. This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program. Such program was not included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139 or identified in the most recent Catalog of Federal Domestic Assistance published pursuant to the Federal Program Information Act (Public Law 95–220, as amended by Public Law 98–169) as relating to other programs.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

Any preemptive effect of this bill over state, local, or tribal law is intended to be consistent with the bill's purposes and text and the Supremacy Clause of Article VI of the U.S. Constitution.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, and existing law in which no change is proposed is shown in roman):

PITTMAN-ROBERTSON WILDLIFE RESTORATION ACT

* * * * *

SEC. 4. ALLOCATION AND APPORTIONMENT OF AVAILABLE AMOUNTS.

(a) SET-ASIDE FOR EXPENSES FOR ADMINISTRATION OF THE PITTMAN-ROBERTSON WILDLIFE RESTORATION ACT.—

(1) IN GENERAL.—

(A) SET-ASIDE.—For fiscal year 2001 and each fiscal year thereafter, of the revenues (excluding interest accruing under section 3(b)) covered into the fund for the fiscal year, the Secretary of the Interior may use not more than the available amount specified in subparagraph (B) for the fiscal year for expenses for administration incurred in implementation of this Act, in accordance with this subsection and section 9.

(B) AVAILABLE AMOUNTS.—The available amount referred to in subparagraph (A) is—

(i) for the fiscal year that includes November 15, 2021, the product obtained by multiplying—

(I) \$12,786,434; and

(II) the change, relative to the preceding fiscal year, in the Consumer Price Index for All Urban Consumers published by the Department of Labor; and

(ii) for each fiscal year thereafter, the sum obtained by adding—

(I) the available amount specified in this subparagraph for the preceding fiscal year; and

(II) the product obtained by multiplying—

(aa) the available amount specified in this subparagraph for the preceding fiscal year; and

(bb) the change, relative to the preceding fiscal year, in the Consumer Price Index for All Urban Consumers published by the Department of Labor.

(2) PERIOD OF AVAILABILITY; APPORTIONMENT OF UNOBLIGATED AMOUNTS.—

(A) PERIOD OF AVAILABILITY.—For each fiscal year, the available amount under paragraph (1) shall remain available for obligation for use under that paragraph until the end of the subsequent fiscal year.

(B) APPORTIONMENT OF UNOBLIGATED AMOUNTS.—

(i) IN GENERAL.—Not later than 60 days after the end of a fiscal year, the Secretary of the Interior shall apportion among the States any of the available amount under paragraph (1) that remained available for obligation pursuant to subparagraph (A) during that fiscal year and remains unobligated at the end of that fiscal year.

(ii) REQUIREMENT.—The available amount apportioned under clause (i) shall be apportioned on the same basis and in the same manner as other amounts made available under this Act were apportioned among the States for the fiscal year in which the amount was originally made available.

(b) APPORTIONMENT TO STATES.—The Secretary of the Interior, after deducting the available amount under subsection (a), the amount apportioned under subsection (c), any amount apportioned under section 8A, and amounts provided as grants under sections 10 and 11, shall apportion the remainder of the revenue in said fund for each fiscal year among the several States in the following manner: One-half in the ratio which the area of each State bears to the total area of all the States, and one-half in the ratio which the number of paid hunting-license holders of each State in the second fiscal year preceding the fiscal year for which such apportionment is made, as certified to said Secretary by the State fish and game departments, bears to the total number of paid hunting-license holders of all the States. Such apportionments shall be adjusted equitably so that no State shall receive less than one-half of

1 per centum nor more than 5 per centum of the total amount apportioned. The term fiscal year as used in this Act shall be a period of twelve consecutive months from October 1 through the succeeding September 30, except that the period for enumeration of paid hunting-license holders shall be a State's fiscal or license year.

(c) APPORTIONMENT OF REVENUES FROM PISTOLS, REVOLVERS, BOWS, AND ARROWS.—

(1) IN GENERAL.—Subject to paragraph (2), $\frac{1}{2}$ of the revenues accruing to the fund under this Act each fiscal year (beginning with the fiscal year 1975) from any tax imposed on pistols, revolvers, bows, and arrows shall be apportioned among the States in proportion to the ratio that the population of each State bears to the population of all the States.

(2) CONDITION.—The amount apportioned to each State under paragraph (1) shall be not greater than 3 percent and not less than 1 percent of the revenues described in such paragraph and Guam, the Virgin Islands, American Samoa, Puerto Rico, and the Northern Mariana Islands shall each be apportioned one-sixth of 1 per centum of such revenues.

(3) POPULATION DETERMINATION.—For the purpose of this subsection, population shall be determined on the basis of the latest decennial census for which figures are available, as certified by the Secretary of Commerce.

(4) USE OF FUNDS.—In addition to other uses authorized under this Act, amounts apportioned under this subsection may be used for hunter recruitment and recreational shooter recruitment.

(d) APPORTIONMENT OF WILDLIFE CONSERVATION AND RESTORATION ACCOUNT.—

(1) The Secretary of the Interior shall make the following apportionment from the Wildlife Conservation and Restoration Account:

(A) to the District of Columbia and to the Commonwealth of Puerto Rico, each a sum equal to not more than one-half of 1 percent thereof.

(B) to Guam, American Samoa, the Virgin Islands, and the Commonwealth of the Northern Mariana Islands, each a sum equal to not more than one-fourth of 1 percent thereof.

(2)(A) The Secretary of the Interior, after making the apportionment under paragraph (1), shall apportion the remaining amount in the Wildlife Conservation and Restoration Account for each fiscal year among the States in the following manner:

(i) one-third of which is based on the ratio to which the land area of such State bears to the total land area of all such States; and

(ii) two-thirds of which is based on the ratio to which the population of such State bears to the total population of all such States.

(B) The amounts apportioned under this paragraph shall be adjusted equitably so that no such State shall be apportioned a sum which is less than one percent of the amount available for apportionment under this paragraph for any fiscal year or more than five percent of such amount.

- (3) Of the amounts transferred to the Wildlife Conservation and Restoration Account, not to exceed 3 percent shall be available for any Federal expenses incurred in the administration and execution of programs carried out with such amounts.
- (e) WILDLIFE CONSERVATION AND RESTORATION PROGRAMS.—

(1) Any State, through its fish and wildlife department, may apply to the Secretary of the Interior for approval of a wildlife conservation and restoration program, or for funds from the Wildlife Conservation and Restoration Account, to develop a program. To apply, a State shall submit a comprehensive plan that includes—

(A) provisions vesting in the fish and wildlife department of the State overall responsibility and accountability for the program;

(B) provisions for the development and implementation of—

(i) wildlife conservation projects that expand and support existing wildlife programs, giving appropriate consideration to all wildlife;

(ii) wildlife-associated recreation projects; and

(iii) wildlife conservation education projects pursuant to programs under section 8(a); and

(C) provisions to ensure public participation in the development, revision, and implementation of projects and programs required under this paragraph.

(D) WILDLIFE CONSERVATION STRATEGY.—Within five years of the date of the initial apportionment, develop and begin implementation of a wildlife conservation strategy based upon the best available and appropriate scientific information and data that—

(i) uses such information on the distribution and abundance of species of wildlife, including low population and declining species as the State fish and wildlife department deems appropriate, that are indicative of the diversity and health of wildlife of the State;

(ii) identifies the extent and condition of wildlife habitats and community types essential to conservation of species identified under paragraph (1);

(iii) identifies the problems which may adversely affect the species identified under paragraph (1) or their habitats, and provides for priority research and surveys to identify factors which may assist in restoration and more effective conservation of such species and their habitats;

(iv) determines those actions which should be taken to conserve the species identified under paragraph (1) and their habitats and establishes priorities for implementing such conservation actions;

(v) provides for periodic monitoring of species identified under paragraph (1) and their habitats and the effectiveness of the conservation actions determined under paragraph (4), and for adapting conservation actions as appropriate to respond to new information or changing conditions;

(vi) provides for the review of the State wildlife conservation strategy and, if appropriate, revision at intervals of not more than ten years;

(vii) provides for coordination to the extent feasible the State fish and wildlife department, during the development, implementation, review, and revision of the wildlife conservation strategy, with Federal, State, and local agencies and Indian tribes that manage significant areas of land or water within the State, or administer programs that significantly affect the conservation of species identified under paragraph (1) or their habitats.

(2) A State shall provide an opportunity for public participation in the development of the comprehensive plan required under paragraph (1).

(3) **¶ If the Secretary** (A) *If the Secretary finds that the comprehensive plan submitted by a State complies with paragraph (1), the Secretary, not later than 180 days after the date on which the State submitted the comprehensive plan, shall approve the wildlife conservation and restoration program of the State and set aside from the apportionment to the State made pursuant to subsection (d)¶, as redesignated* an amount that shall not exceed 75 percent of the estimated cost of developing and implementing the program.

(B) *Upon submission of a comprehensive plan by a State under paragraph (1), the Secretary shall conditionally authorize the implementation of the wildlife conservation and restoration program of the State and shall set aside amounts as described in subparagraph (A).*

(C) *The Secretary, in consultation with the States, shall develop a process to ensure sufficient and timely review of comprehensive plans submitted by States under paragraph (1) and final approval of the wildlife conservation and restoration program of such States not later than 180 days after the date on which a State submits such a comprehensive plan.*

(D) *It is the intent of Congress that the Secretary prioritize the—*

(i) *timely review of comprehensive plans submitted by States under paragraph (1); and*

(ii) *approval of the wildlife conservation and restoration programs of such States.*

(E) *Not later than June 1 of the year immediately following the year in which a State submits a comprehensive plan under paragraph (1), if the Secretary does not approve the wildlife conservation and restoration program of the State under subparagraph (A) within the time described in that subparagraph, the Secretary shall submit to the Chair and Ranking Member of the Committee on Natural Resources of the House of Representatives and the Environment and Public Works Committee of the Senate a report regarding the status of such comprehensive plan and including the reason why the wildlife conservation and restoration program was not so approved.*

(4)(A) Except as provided in subparagraph (B), after the Secretary approves a State's wildlife conservation and restoration program, the Secretary may make payments on a project that

is a segment of the State's wildlife conservation and restoration program as the project progresses. Such payments, including previous payments on the project, if any, shall not be more than the United States pro rata share of such project. The Secretary, under such regulations as he may prescribe, may advance funds representing the United States pro rata share of a project that is a segment of a wildlife conservation and restoration program, including funds to develop such program.

(B) Not more than 10 percent of the amounts apportioned to each State under this section for a State's wildlife conservation and restoration program may be used for wildlife-associated recreation.

(5) For purposes of this subsection, the term "State" shall include the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

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