

Calendar No. 304

113TH CONGRESS
2D SESSION

S. 1996

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

IN THE SENATE OF THE UNITED STATES

FEBRUARY 4, 2014

Mrs. HAGAN (for herself, Ms. MURKOWSKI, Mr. PRYOR, Mr. HELLER, Mr. TESTER, Mr. HOEVEN, Mr. BEGICH, Mr. PORTMAN, Ms. LANDRIEU, Mr. BOOZMAN, Mr. MANCHIN, and Mr. VITTER) introduced the following bill; which was read the first time

FEBRUARY 6, 2014

Read the second time and placed on the calendar

A BILL

To protect and enhance opportunities for recreational hunting, fishing, and shooting, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Bipartisan Sportsmen’s Act of 2014”.

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

Sec. 1. Short title; table of contents.

TITLE I—REGULATORY REFORMS

Sec. 101. Electronic duck stamps.

Sec. 102. Modification of definition of sport fishing equipment under the Toxic Substances Control Act.

Sec. 103. Target practice and marksmanship.

Sec. 104. Exemption for subsistence users.

Sec. 105. Permits for importation of polar bear trophies taken in sport hunts in Canada.

Sec. 106. Taking of migratory game birds.

Sec. 107. Recreational fishing, hunting, and recreational shooting on Federal public land.

Sec. 108. Annual permit and fee for film crews of 5 persons or fewer.

TITLE II—HABITAT CONSERVATION

Sec. 201. Availability of Land and Water Conservation Fund for recreational public access projects.

Sec. 202. Federal Land Transaction Facilitation Act.

Sec. 203. North American Wetlands Conservation Act.

Sec. 204. National Fish and Wildlife Foundation Establishment Act.

TITLE I—REGULATORY REFORMS

SEC. 101. ELECTRONIC DUCK STAMPS.

(a) DEFINITIONS.—In this section:

(1) ACTUAL STAMP.—The term “actual stamp” means a Federal migratory-bird hunting and conservation stamp required under the Act of March 16, 1934 (16 U.S.C. 718a et seq.) (popularly known as the “Duck Stamp Act”), that is printed on paper and sold through the means established by the authority of the Secretary immediately before the date of enactment of this Act.

(2) AUTOMATED LICENSING SYSTEM.—

1 (A) IN GENERAL.—The term “automated
 2 licensing system” means an electronic, comput-
 3 erized licensing system used by a State fish and
 4 wildlife agency to issue hunting, fishing, and
 5 other associated licenses and products.

6 (B) INCLUSION.—The term “automated li-
 7 censing system” includes a point-of-sale, Inter-
 8 net, telephonic system, or other electronic appli-
 9 cations used for a purpose described in sub-
 10 paragraph (A).

11 (3) ELECTRONIC STAMP.—The term “electronic
 12 stamp” means an electronic version of an actual
 13 stamp that—

14 (A) is a unique identifier for the individual
 15 to whom it is issued;

16 (B) can be printed on paper or produced
 17 through an electronic application with the same
 18 indicators as the State endorsement provides;

19 (C) is issued through a State automated li-
 20 censing system that is authorized, under State
 21 law and by the Secretary under this section, to
 22 issue electronic stamps;

23 (D) is compatible with the hunting licens-
 24 ing system of the State that issues the elec-
 25 tronic stamp; and

1 (E) is described in the State application
2 approved by the Secretary under subsection
3 (c)(3).

4 (4) SECRETARY.—The term “Secretary” means
5 the Secretary of the Interior.

6 (b) AUTHORITY TO ISSUE ELECTRONIC DUCK
7 STAMPS.—

8 (1) IN GENERAL.—The Secretary may author-
9 ize any State to issue electronic stamps in accord-
10 ance with this section.

11 (2) CONSULTATION.—The Secretary shall im-
12 plement this section in consultation with State man-
13 agement agencies.

14 (c) STATE APPLICATION.—

15 (1) APPROVAL OF APPLICATION REQUIRED.—
16 The Secretary may not authorize a State to issue
17 electronic stamps under this section unless the Sec-
18 retary has received and approved an application sub-
19 mitted by the State in accordance with this section.

20 (2) NUMBER OF NEW STATES.—The Secretary
21 may determine the number of new States per year
22 to participate in the electronic stamp program.

23 (3) CONTENTS OF APPLICATION.—The Sec-
24 retary may not approve a State application unless
25 the application contains—

1 (A) a description of the format of the elec-
2 tronic stamp that the State will issue under this
3 section, including identifying features of the li-
4 censee that will be specified on the stamp;

5 (B) a description of any fee the State will
6 charge for issuance of an electronic stamp;

7 (C) a description of the process the State
8 will use to account for and transfer to the Sec-
9 retary the amounts collected by the State that
10 are required to be transferred to the Secretary
11 under the program;

12 (D) the manner by which the State will
13 transmit electronic stamp customer data to the
14 Secretary;

15 (E) the manner by which actual stamps
16 will be delivered;

17 (F) the policies and procedures under
18 which the State will issue duplicate electronic
19 stamps; and

20 (G) such other policies, procedures, and in-
21 formation as may be reasonably required by the
22 Secretary.

23 (4) PUBLICATION OF DEADLINES, ELIGIBILITY
24 REQUIREMENTS, AND SELECTION CRITERIA.—Not
25 later than 30 days before the date on which the Sec-

1 retary begins accepting applications under this sec-
2 tion, the Secretary shall publish—

3 (A) deadlines for submission of applica-
4 tions;

5 (B) eligibility requirements for submitting
6 applications; and

7 (C) criteria for approving applications.

8 (d) STATE OBLIGATIONS AND AUTHORITIES.—

9 (1) DELIVERY OF ACTUAL STAMP.—The Sec-
10 retary shall require that each individual to whom a
11 State sells an electronic stamp under this section
12 shall receive an actual stamp—

13 (A) by not later than the date on which
14 the electronic stamp expires under subsection
15 (e)(3); and

16 (B) in a manner agreed upon by the State
17 and Secretary.

18 (2) COLLECTION AND TRANSFER OF ELEC-
19 TRONIC STAMP REVENUE AND CUSTOMER INFORMA-
20 TION.—

21 (A) REQUIREMENT TO TRANSMIT.—The
22 Secretary shall require each State authorized to
23 issue electronic stamps to collect and submit to
24 the Secretary in accordance with this sub-
25 section—

1 (i) the first name, last name, and
 2 complete mailing address of each individual
 3 that purchases an electronic stamp from
 4 the State;

5 (ii) the face value amount of each
 6 electronic stamp sold by the State; and

7 (iii) the amount of the Federal por-
 8 tion of any fee required by the agreement
 9 for each stamp sold.

10 (B) TIME OF TRANSMITTAL.—The Sec-
 11 retary shall require the submission under sub-
 12 paragraph (A) to be made with respect to sales
 13 of electronic stamps by a State according to the
 14 written agreement between the Secretary and
 15 the State agency.

16 (C) ADDITIONAL FEES NOT AFFECTED.—
 17 This section shall not apply to the State portion
 18 of any fee collected by a State under paragraph
 19 (3).

20 (3) ELECTRONIC STAMP ISSUANCE FEE.—A
 21 State authorized to issue electronic stamps may
 22 charge a reasonable fee to cover costs incurred by
 23 the State and the Department of the Interior in
 24 issuing electronic stamps under this section, includ-
 25 ing costs of delivery of actual stamps.

1 (4) DUPLICATE ELECTRONIC STAMPS.—A State
 2 authorized to issue electronic stamps may issue a
 3 duplicate electronic stamp to replace an electronic
 4 stamp issued by the State that is lost or damaged.

5 (5) LIMITATION ON AUTHORITY TO REQUIRE
 6 PURCHASE OF STATE LICENSE.—A State may not
 7 require that an individual purchase a State hunting
 8 license as a condition of issuing an electronic stamp
 9 under this section.

10 (e) ELECTRONIC STAMP REQUIREMENTS; RECOGNI-
 11 TION OF ELECTRONIC STAMP.—

12 (1) STAMP REQUIREMENTS.—The Secretary
 13 shall require an electronic stamp issued by a State
 14 under this section—

15 (A) to have the same format as any other
 16 license, validation, or privilege the State issues
 17 under the automated licensing system of the
 18 State; and

19 (B) to specify identifying features of the li-
 20 censee that are adequate to enable Federal,
 21 State, and other law enforcement officers to
 22 identify the holder.

23 (2) RECOGNITION OF ELECTRONIC STAMP.—
 24 Any electronic stamp issued by a State under this

1 section shall, during the effective period of the elec-
 2 tronic stamp—

3 (A) bestow upon the licensee the same
 4 privileges as are bestowed by an actual stamp;

5 (B) be recognized nationally as a valid
 6 Federal migratory bird hunting and conserva-
 7 tion stamp; and

8 (C) authorize the licensee to hunt migra-
 9 tory waterfowl in any other State, in accordance
 10 with the laws of the other State governing that
 11 hunting.

12 (3) DURATION.—An electronic stamp issued by
 13 a State shall be valid for a period agreed to by the
 14 State and the Secretary, which shall not exceed 45
 15 days.

16 (f) TERMINATION OF STATE PARTICIPATION.—The
 17 authority of a State to issue electronic stamps under this
 18 section may be terminated—

19 (1) by the Secretary, if the Secretary—

20 (A) finds that the State has violated any of
 21 the terms of the application of the State ap-
 22 proved by the Secretary under subsection (c);
 23 and

1 (B) provides to the State written notice of
 2 the termination by not later than the date that
 3 is 30 days before the date of termination; or
 4 (2) by the State, by providing written notice to
 5 the Secretary by not later than the date that is 30
 6 days before the termination date.

7 **SEC. 102. MODIFICATION OF DEFINITION OF SPORT FISH-**
 8 **ING EQUIPMENT UNDER THE TOXIC SUB-**
 9 **STANCES CONTROL ACT.**

10 Section 3(2)(B) of the Toxic Substances Control Act
 11 (15 U.S.C. 2602(2)(B)) is amended—

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

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

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

19 “(vii) any sport fishing equipment (as such
 20 term is defined in subparagraph (a) of section 4162
 21 of the Internal Revenue Code of 1986) the sale of
 22 which is subject to the tax imposed by section
 23 4161(a) of such Code (determined without regard to
 24 any exemptions from such tax as provided by section

1 4162 or 4221 or any other provision of such Code),
2 and sport fishing equipment components.”.

3 **SEC. 103. TARGET PRACTICE AND MARKSMANSHIP.**

4 (a) FINDINGS; PURPOSE.—

5 (1) FINDINGS.—Congress finds that—

6 (A) the use of firearms and archery equip-
7 ment for target practice and marksmanship
8 training activities on Federal land is allowed,
9 except to the extent specific portions of that
10 land have been closed to those activities;

11 (B) in recent years preceding the date of
12 enactment of this Act, portions of Federal land
13 have been closed to target practice and marks-
14 manship training for many reasons;

15 (C) the availability of public target ranges
16 on non-Federal land has been declining for a
17 variety of reasons, including continued popu-
18 lation growth and development near former
19 ranges;

20 (D) providing opportunities for target
21 practice and marksmanship training at public
22 target ranges on Federal and non-Federal land
23 can help—

24 (i) to promote enjoyment of shooting,
25 recreational, and hunting activities; and

1 (ii) to ensure safe and convenient lo-
 2 cations for those activities;

3 (E) Federal law in effect on the date of en-
 4 actment of this Act, including the Pittman-Rob-
 5 ertson Wildlife Restoration Act (16 U.S.C. 669
 6 et seq.), provides Federal support for construc-
 7 tion and expansion of public target ranges by
 8 making available to States amounts that may
 9 be used for construction, operation, and mainte-
 10 nance of public target ranges; and

11 (F) it is in the public interest to provide
 12 increased Federal support to facilitate the con-
 13 struction or expansion of public target ranges.

14 (2) PURPOSE.—The purpose of this section is
 15 to facilitate the construction and expansion of public
 16 target ranges, including ranges on Federal land
 17 managed by the Forest Service and the Bureau of
 18 Land Management.

19 (b) DEFINITION OF PUBLIC TARGET RANGE.—In
 20 this section, the term “public target range” means a spe-
 21 cific 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 (c) AMENDMENTS TO PITTMAN-ROBERTSON WILD-
4 LIFE RESTORATION ACT.—

5 (1) DEFINITIONS.—Section 2 of the Pittman-
6 Robertson Wildlife Restoration Act (16 U.S.C.
7 669a) is amended—

8 (A) by redesignating paragraphs (2)
9 through (8) as paragraphs (3) through (9), re-
10 spectively; and

11 (B) by inserting after paragraph (1) the
12 following:

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

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

17 “(B) is open to the public;

18 “(C) may be supervised; and

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

21 (2) EXPENDITURES FOR MANAGEMENT OF
22 WILDLIFE AREAS AND RESOURCES.—Section 8(b) of
23 the Pittman-Robertson Wildlife Restoration Act (16
24 U.S.C. 669g(b)) is amended—

1 (A) by striking “(b) Each State” and in-
 2 serting the following:

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

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

7 (B) in paragraph (1) (as so designated), by
 8 striking “construction, operation,” and insert-
 9 ing “operation”;

10 (C) in the second sentence, by striking
 11 “The non-Federal share” and inserting the fol-
 12 lowing:

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

15 (D) in the third sentence, by striking “The
 16 Secretary” and inserting the following:

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

18 (E) by inserting after paragraph (1) (as
 19 designated by subparagraph (A)) the following:

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

24 (3) FIREARM AND BOW HUNTER EDUCATION
 25 AND SAFETY PROGRAM GRANTS.—Section 10 of the

1 Pittman-Robertson Wildlife Restoration Act (16
2 U.S.C. 669h–1) is amended—

3 (A) in subsection (a), by adding at the end
4 the following:

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

12 (B) by striking subsection (b) and insert-
13 ing the following:

14 “(b) COST SHARING.—

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

20 “(2) PUBLIC TARGET RANGE CONSTRUCTION OR
21 EXPANSION.—The Federal share of the cost of ac-
22 quiring land for, expanding, or constructing a public
23 target range in a State on Federal or non-Federal
24 land pursuant to this section or section 8(b) shall

1 not exceed 90 percent of the cost of the activity.”;
2 and

3 (C) in subsection (c)(1)—

4 (i) by striking “Amounts made” and
5 inserting the following:

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

8 (ii) by adding at the end the fol-
9 lowing:

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

17 (d) SENSE OF CONGRESS REGARDING COOPERA-
18 TION.—It is the sense of Congress that, consistent with
19 applicable laws (including regulations), the Chief of the
20 Forest Service and the Director of the Bureau of Land
21 Management should cooperate with State and local au-
22 thorities and other entities to carry out waste removal and
23 other activities on any Federal land used as a public target
24 range to encourage continued use of that land for target
25 practice or marksmanship training.

1 **SEC. 104. EXEMPTION FOR SUBSISTENCE USERS.**

2 Section 3(h)(2) of the Fish and Wildlife Improvement
3 Act of 1978 (16 U.S.C. 712(1)) is amended by adding
4 at the end the following: “A taking authorized under this
5 section shall be exempt from the prohibition on taking
6 under section 1 of the Migratory Bird Hunting and Con-
7 servation Stamp Act (16 U.S.C. 718a).”.

8 **SEC. 105. PERMITS FOR IMPORTATION OF POLAR BEAR**
9 **TROPHIES TAKEN IN SPORT HUNTS IN CAN-**
10 **ADA.**

11 Section 104(c)(5) of the Marine Mammal Protection
12 Act of 1972 (16 U.S.C. 1374(c)(5)) is amended by strik-
13 ing subparagraph (D) and inserting the following:

14 “(D) POLAR BEAR PARTS.—

15 “(i) IN GENERAL.—Notwithstanding
16 subparagraphs (A) and (C)(ii), subsection
17 (d)(3), and sections 101 and 102, the Sec-
18 retary of the Interior shall, expeditiously
19 after the date on which the expiration of
20 the applicable 30-day period described in
21 subsection (d)(2) expires, issue a permit
22 for the importation of any polar bear part
23 (other than an internal organ) from a
24 polar bear taken in a sport hunt in Canada
25 to any person—

1 “(I) who submits, with the per-
 2 mit application, proof that the polar
 3 bear was legally harvested by the per-
 4 son before February 18, 1997; or

5 “(II) who submitted, with a per-
 6 mit application submitted before May
 7 15, 2008, proof that the polar bear
 8 was legally harvested from a polar
 9 bear population from which a sport-
 10 hunted trophy could be imported be-
 11 fore May 15, 2008, in accordance
 12 with section 18.30(i) of title 50, Code
 13 of Federal Regulations (or a successor
 14 regulation) by the person before May
 15 15, 2008.

16 “(ii) APPLICABILITY OF PROHIBITION
 17 ON THE IMPORTATION OF A DEPLETED
 18 SPECIES.—

19 “(I) PARTS LEGALLY HARVESTED
 20 BEFORE FEBRUARY 18, 1997.—

21 “(aa) IN GENERAL.—Sec-
 22 tions 101(a)(3)(B) and 102(b)(3)
 23 shall not apply to the importation
 24 of any polar bear part authorized

1 by a permit issued under clause
2 (i)(I).

3 “(bb) APPLICABILITY.—
4 Item (aa) shall not apply to polar
5 bear parts imported before June
6 12, 1997.

7 “(II) PARTS LEGALLY HAR-
8 VESTED BEFORE MAY 15, 2008.—

9 “(aa) IN GENERAL.—Sec-
10 tions 101(a)(3)(B) and 102(b)(3)
11 shall not apply to the importation
12 of any polar bear part authorized
13 by a permit issued under clause
14 (i)(II).

15 “(bb) APPLICABILITY.—
16 Item (aa) shall not apply to polar
17 bear parts imported before the
18 date of enactment of the Bipar-
19 tisan Sportsmen’s Act of 2014.”.

20 **SEC. 106. TAKING OF MIGRATORY GAME BIRDS.**

21 Section 3 of the Migratory Bird Treaty Act (16
22 U.S.C. 704) is amended by adding at the end the fol-
23 lowing:

24 “(c) EXEMPTIONS ON CERTAIN LAND.—

1 “(1) IN GENERAL.—Nothing in this section pro-
 2 hibits the taking of any migratory game bird, includ-
 3 ing waterfowl, coots, and cranes, on or over land
 4 that—

5 “(A) is not a baited area; and

6 “(B) contains—

7 “(i) a standing crop or flooded stand-
 8 ing crop, including an aquatic crop;

9 “(ii) standing, flooded, or manipulated
 10 natural vegetation;

11 “(iii) flooded harvested cropland; or

12 “(iv) based on the determination of
 13 the applicable State office of the Coopera-
 14 tive Extension System of the Department
 15 of Agriculture at the request of the Sec-
 16 retary of the Interior—

17 “(I) an area on which seed or
 18 grain has been scattered solely as the
 19 result of a normal agricultural plant-
 20 ing, harvesting, post-harvest manipu-
 21 lation, or normal soil stabilization
 22 practice; or

23 “(II) land of an agricultural pro-
 24 ducer on which a crop during the cur-
 25 rent or immediately preceding crop

1 year was not harvestable due to a nat-
2 ural disaster (including any hurricane,
3 storm, tornado, flood, high water,
4 wind-driven water, tidal wave, tsu-
5 nami, earthquake, volcanic eruption,
6 landslide, mudslide, drought, fire,
7 snowstorm, or other catastrophe that
8 is declared a major disaster by the
9 President in accordance with section
10 401 of the Robert T. Stafford Dis-
11 aster Relief and Emergency Assist-
12 ance Act (42 U.S.C. 5170)).

13 “(2) DETERMINATIONS.—

14 “(A) IN GENERAL.—For purposes of mak-
15 ing a determination under paragraph
16 (1)(B)(iv)(I), each State office of the Coopera-
17 tive Extension System of the Department of
18 Agriculture shall determine the activities in that
19 State that the State office considers to be a
20 normal agricultural practice in the State, such
21 as mowing, shredding, discing, rolling, chop-
22 ping, trampling, flattening, burning, or carrying
23 out herbicide treatment.

24 “(B) NATURAL DISASTER.—For purposes
25 of making a determination under paragraph

(1)(B)(iv)(II), each State office of the Cooperative Extension Service of the Department of Agriculture shall determine that—

“(i) the crop has been destroyed; and

“(ii) it would not have been economically practicable to harvest the crop.

“(C) REVISIONS.—A State office may revise a report described in subparagraph (A) as the State office determines to be necessary to reflect changing agricultural practices.”.

SEC. 107. RECREATIONAL FISHING, HUNTING, AND RECREATIONAL SHOOTING ON FEDERAL PUBLIC LAND.

(a) DEFINITIONS.—In this section:

(1) FEDERAL PUBLIC LAND.—

(A) IN GENERAL.—The term “Federal public land” means any land or water that is—

(i) owned by the United States; and

(ii) managed by a Federal agency (including the Department of the Interior and the Forest Service) for purposes that include the conservation of natural resources.

(B) EXCLUSIONS.—The term “Federal public land” does not include—

1 (i) land or water held or managed in
 2 trust for the benefit of Indian tribes or in-
 3 dividual Indians;

4 (ii) land or water managed by the Di-
 5 rector of the National Park Service or the
 6 Director of the United States Fish and
 7 Wildlife Service;

8 (iii) fish hatcheries; or

9 (iv) conservation easements on private
 10 land.

11 (2) HUNTING.—

12 (A) IN GENERAL.—The term “hunting”
 13 means use of a firearm, bow, or other author-
 14 ized means in the lawful—

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

17 (ii) attempt to pursue, shoot, capture,
 18 collect, trap, or kill wildlife.

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

23 (3) RECREATIONAL FISHING.—The term “rec-
 24 reational fishing” means—

1 (A) an activity for sport or pleasure that
 2 involves the lawful—

3 (i) catching, taking, or harvesting of
 4 fish; or

5 (ii) attempted catching, taking, or
 6 harvesting of fish; or

7 (B) any other activity for sport or pleasure
 8 that can reasonably be expected to result in the
 9 lawful catching, taking, or harvesting of fish.

10 (4) RECREATIONAL SHOOTING.—The term
 11 “recreational shooting” means any form of sport,
 12 training, competition, or pastime, whether formal or
 13 informal, that involves—

14 (A) the discharge of a rifle, handgun, or
 15 shotgun; or

16 (B) the use of a bow and arrow.

17 (b) RECREATIONAL FISHING, HUNTING, AND REC-
 18 REATIONAL SHOOTING.—

19 (1) IN GENERAL.—Subject to valid existing
 20 rights, and in cooperation with the respective State
 21 fish and wildlife agency, a Federal public land man-
 22 agement official shall exercise the authority of the
 23 official under existing law (including provisions re-
 24 garding land use planning) to facilitate use of and
 25 access to Federal public land for recreational fish-

1 ing, hunting, and recreational shooting except as
2 limited by—

3 (A) any Federal law (including regula-
4 tions) that authorizes action or withholding ac-
5 tion for reasons of national security, public
6 safety, or resource conservation;

7 (B) any other Federal law (including regu-
8 lations) that precludes recreational fishing,
9 hunting, or recreational shooting on specific
10 Federal public land units of Federal public
11 land, or water; and

12 (C) discretionary limitations on rec-
13 reational fishing, hunting, and recreational
14 shooting determined to be necessary and rea-
15 sonable, as supported by the best scientific evi-
16 dence and advanced through a transparent pub-
17 lic process.

18 (2) MANAGEMENT.—Consistent with paragraph
19 (1), the head of each Federal public land manage-
20 ment agency shall exercise the land management dis-
21 cretion of the head—

22 (A) in a manner that supports and facili-
23 tates recreational fishing, hunting, and rec-
24 reational shooting opportunities;

1 (B) to the extent authorized under applica-
2 ble State law; and

3 (C) in accordance with applicable Federal
4 law.

5 (3) PLANNING.—

6 (A) EFFECTS OF PLANS AND ACTIVI-
7 TIES.—

8 (i) EVALUATION OF EFFECTS ON OP-
9 PORTUNITIES TO ENGAGE IN REC-
10 REATIONAL FISHING, HUNTING, OR REC-
11 REATIONAL SHOOTING.—Federal public
12 land planning documents (including land
13 resources management plans, resource
14 management plans, travel management
15 plans, and energy development plans) shall
16 include a specific evaluation of the effects
17 of the plans on opportunities to engage in
18 recreational fishing, hunting, or rec-
19 reational shooting.

20 (ii) OTHER ACTIVITY NOT CONSID-
21 ERED.—

22 (I) IN GENERAL.—Federal public
23 land management officials shall not be
24 required to consider the existence or
25 availability of recreational fishing,

1 hunting, or recreational shooting op-
2 portunities on private or public land
3 that is located adjacent to, or in the
4 vicinity of, Federal public land for
5 purposes of—

6 (aa) planning for or deter-
7 mining which units of Federal
8 public land are open for rec-
9 reational fishing, hunting, or rec-
10 reational shooting; or

11 (bb) setting the levels of use
12 for recreational fishing, hunting,
13 or recreational shooting on Fed-
14 eral public land.

15 (II) ENHANCED OPPORTUNI-
16 TIES.—Federal public land manage-
17 ment officials may consider the oppor-
18 tunities described in subclause (I) if
19 the combination of those opportunities
20 would enhance the recreational fish-
21 ing, hunting, or shooting opportunities
22 available to the public.

23 (B) USE OF VOLUNTEERS.—If hunting is
24 prohibited by law, all Federal public land plan-
25 ning documents described in subparagraph

1 (A)(i) of an agency shall, after appropriate co-
 2 ordination with State fish and wildlife agencies,
 3 allow the participation of skilled volunteers in
 4 the culling and other management of wildlife
 5 populations on Federal public land unless the
 6 head of the agency demonstrates, based on the
 7 best scientific data available or applicable Fed-
 8 eral law, why skilled volunteers should not be
 9 used to control overpopulation of wildlife on the
 10 land that is the subject of the planning docu-
 11 ment.

12 (4) BUREAU OF LAND MANAGEMENT AND FOR-
 13 EST SERVICE LAND.—

14 (A) LAND OPEN.—

15 (i) IN GENERAL.—Land under the ju-
 16 risdiction of the Bureau of Land Manage-
 17 ment or the Forest Service (including a
 18 component of the National Wilderness
 19 Preservation System, land designated as a
 20 wilderness study area or administratively
 21 classified as wilderness eligible or suitable,
 22 and primitive or semiprimitive areas, but
 23 excluding land on the outer Continental
 24 Shelf) shall be open to recreational fishing,
 25 hunting, and recreational shooting unless

1 the managing Federal public land agency
2 acts to close the land to the activity.

3 (ii) MOTORIZED ACCESS.—Nothing in
4 this subparagraph authorizes or requires
5 motorized access or the use of motorized
6 vehicles for recreational fishing, hunting,
7 or recreational shooting purposes within
8 land designated as a wilderness study area
9 or administratively classified as wilderness
10 eligible or suitable.

11 (B) CLOSURE OR RESTRICTION.—Land de-
12 scribed in subparagraph (A)(i) may be subject
13 to closures or restrictions if determined by the
14 head of the agency to be necessary and reason-
15 able and supported by facts and evidence for
16 purposes including resource conservation, public
17 safety, energy or mineral production, energy
18 generation or transmission infrastructure, water
19 supply facilities, protection of other permittees,
20 protection of private property rights or inter-
21 ests, national security, or compliance with other
22 law, as determined appropriate by the Director
23 of the Bureau of Land Management or the
24 Chief of the Forest Service, as applicable.

25 (C) SHOOTING RANGES.—

1 (i) IN GENERAL.—Except as provided
 2 in clause (iii), the head of each Federal
 3 public land agency may use the authorities
 4 of the head, in a manner consistent with
 5 this section and other applicable law—

6 (I) to lease or permit use of land
 7 under the jurisdiction of the head for
 8 shooting ranges; and

9 (II) to designate specific land
 10 under the jurisdiction of the head for
 11 recreational shooting activities.

12 (ii) LIMITATION ON LIABILITY.—Any
 13 designation under clause (i)(II) shall not
 14 subject the United States to any civil ac-
 15 tion or claim for monetary damages for in-
 16 jury or loss of property or personal injury
 17 or death caused by any recreational shoot-
 18 ing activity occurring at or on the des-
 19 ignated land.

20 (iii) EXCEPTION.—The head of each
 21 Federal public land agency shall not lease
 22 or permit use of Federal public land for
 23 shooting ranges or designate land for rec-
 24 reational shooting activities within includ-
 25 ing a component of the National Wilder-

1 ness Preservation System, land designated
 2 as a wilderness study area or administra-
 3 tively classified as wilderness eligible or
 4 suitable, and primitive or semiprimitive
 5 areas.

6 (5) REPORT.—Not later than October 1 of
 7 every other year, beginning with the second October
 8 1 after the date of enactment of this Act, the head
 9 of each Federal public land agency who has author-
 10 ity to manage Federal public land on which rec-
 11 reational fishing, hunting, or recreational shooting
 12 occurs shall submit to the Committee on Natural
 13 Resources of the House of Representatives and the
 14 Committee on Energy and Natural Resources of the
 15 Senate a report that describes—

16 (A) any Federal public land administered
 17 by the agency head that was closed to rec-
 18 reational fishing, hunting, or recreational shoot-
 19 ing at any time during the preceding year; and

20 (B) the reason for the closure.

21 (6) CLOSURES OR SIGNIFICANT RESTRICTIONS
 22 OF 1,280 OR MORE ACRES.—

23 (A) IN GENERAL.—Other than closures es-
 24 tablished or prescribed by land planning actions
 25 referred to in paragraph (4)(B) or emergency

1 closures described in subparagraph (C), a per-
 2 manent or temporary withdrawal, change of
 3 classification, or change of management status
 4 of Federal public land or water that effectively
 5 closes or significantly restricts 1,280 or more
 6 contiguous acres of Federal public land or
 7 water to access or use for recreational fishing
 8 or hunting or activities relating to fishing or
 9 hunting shall take effect only if, before the date
 10 of withdrawal or change, the head of the Fed-
 11 eral public land agency that has jurisdiction
 12 over the Federal public land or water—

13 (i) publishes appropriate notice of the
 14 withdrawal or change, respectively;

15 (ii) demonstrates that coordination
 16 has occurred with a State fish and wildlife
 17 agency; and

18 (iii) submits to the Committee on
 19 Natural Resources of the House of Rep-
 20 resentatives and the Committee on Energy
 21 and Natural Resources of the Senate writ-
 22 ten notice of the withdrawal or change, re-
 23 spectively.

24 (B) AGGREGATE OR CUMULATIVE EF-
 25 FECTS.—If the aggregate or cumulative effect

of separate withdrawals or changes effectively closes or significantly restricts or affects 1,280 or more acres of land or water, the withdrawals and changes shall be treated as a single withdrawal or change for purposes of subparagraph (A).

(C) EMERGENCY CLOSURES.—

(i) IN GENERAL.—Nothing in this section prohibits a Federal public land management agency from establishing or implementing emergency closures or restrictions of the smallest practicable area of Federal public land to provide for public safety, resource conservation, national security, or other purposes authorized by law.

(ii) TERMINATION.—An emergency closure under clause (i) shall terminate after a reasonable period of time unless the temporary closure is converted to a permanent closure consistent with this section.

(7) NO PRIORITY.—Nothing in this section requires a Federal agency to give preference to recreational fishing, hunting, or recreational shooting over other uses of Federal public land or over land

1 or water management priorities established by other
 2 Federal law.

3 (8) CONSULTATION WITH COUNCILS.—In car-
 4 rying out this section, the heads of Federal public
 5 land agencies shall consult with the appropriate ad-
 6 visory councils established under Executive Order
 7 12962 (16 U.S.C. 1801 note; relating to recreational
 8 fisheries) and Executive Order 13443 (16 U.S.C.
 9 661 note; relating to facilitation of hunting heritage
 10 and wildlife conservation).

11 (9) AUTHORITY OF STATES.—

12 (A) IN GENERAL.—Nothing in this section
 13 interferes with, diminishes, or conflicts with the
 14 authority, jurisdiction, or responsibility of any
 15 State to manage, control, or regulate fish and
 16 wildlife under State law (including regulations)
 17 on land or water within the State, including on
 18 Federal public land.

19 (B) FEDERAL LICENSES.—

20 (i) IN GENERAL.—Except as provided
 21 in clause (ii), nothing in this subsection
 22 authorizes the head of a Federal public
 23 land agency head to require a license, fee,
 24 or permit to fish, hunt, or trap on land or

1 water in a State, including on Federal pub-
 2 lic land in the State.

3 (ii) MIGRATORY BIRD STAMPS.—Noth-
 4 ing in this subparagraph affects any mi-
 5 gratory bird stamp requirement of the Act
 6 of March 16, 1934 (16 U.S.C. 718a et
 7 seq.)(popularly known as the “Duck Stamp
 8 Act”).

9 **SEC. 108. ANNUAL PERMIT AND FEE FOR FILM CREWS OF**
 10 **5 PERSONS OR FEWER.**

11 (a) PURPOSE.—The purpose of this section is to pro-
 12 vide commercial film crews of 5 persons or fewer access
 13 to film in areas designated for public use during public
 14 hours on Federal land and waterways.

15 (b) SPECIAL RULES.—Section 1(a) of Public Law
 16 106–206 (16 U.S.C. 460l–6d(a)) is amended—

17 (1) by redesignating paragraphs (1), (2), and
 18 (3) as subparagraphs (A), (B), and (C), respectively,
 19 and indenting appropriately;

20 (2) in the first sentence, by striking “The Sec-
 21 retary of the Interior” and inserting the following:

22 “(1) IN GENERAL.—Except as provided in para-
 23 graph (4), the Secretary of the Interior”;

24 (3) in the second sentence, by striking “Such
 25 fee” and inserting the following:

1 “(2) CRITERIA.—The fee established under
2 paragraph (1)”;

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

5 “(3) OTHER CONSIDERATIONS.—The Secretary
6 may”; and

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

8 “(4) SPECIAL RULES FOR FILM CREWS OF 5
9 PERSONS OR FEWER.—

10 “(A) DEFINITION OF FILM CREW.—In this
11 paragraph, the term ‘film crew’ means any per-
12 sons present on Federal land or waterways
13 under the jurisdiction of the Secretary who are
14 associated with the production of a film.

15 “(B) REQUIRED PERMIT AND FEE.—For
16 any film crew of 5 persons or fewer, the Sec-
17 retary shall require a permit and assess an an-
18 nual fee of \$200 for commercial filming activi-
19 ties or similar projects on Federal land and wa-
20 terways administered by the Secretary.

21 “(C) COMMERCIAL FILMING ACTIVITIES.—
22 A permit issued under subparagraph (B) shall
23 be valid for commercial filming activities or
24 similar projects that occur in areas designated
25 for public use during public hours on all Fed-

1 eral land and waterways administered by the
2 Secretary for a 1-year period beginning on the
3 date of issuance of the permit.

4 “(D) NO ADDITIONAL FEES.—For persons
5 holding a permit issued under this paragraph,
6 during the effective period of the permit, the
7 Secretary shall not assess any fees in addition
8 to the fee assessed under subparagraph (B).

9 “(E) USE OF CAMERAS.—The Secretary
10 shall not prohibit, as a mechanized apparatus
11 or under any other purposes, use of cameras or
12 related equipment used for the purpose of com-
13 mercial filming activities or similar projects in
14 accordance with this paragraph on Federal land
15 and waterways administered by the Secretary.

16 “(F) NOTIFICATION REQUIRED.—A film
17 crew of 5 persons or fewer subject to a permit
18 issued under this paragraph shall notify the ap-
19 plicable land management agency with jurisdic-
20 tion over the Federal land at least 48 hours be-
21 fore entering the Federal land.

22 “(G) DENIAL OF ACCESS.—The head of
23 the applicable land management agency may
24 deny access to a film crew under this paragraph
25 if—

1 “(i) there is a likelihood of resource
2 damage that cannot be mitigated;

3 “(ii) there would be an unreasonable
4 disruption of the use and enjoyment of the
5 site by the public;

6 “(iii) the activity poses health or safe-
7 ty risks to the public; or

8 “(iv) the filming includes the use of
9 models or props that are not part of the
10 natural or cultural resources or adminis-
11 trative facilities of the Federal land.”.

12 (c) RECOVERY OF COSTS.—Section 1(b) of Public
13 Law 106–206 (16 U.S.C. 460l–6d(b)) is amended in the
14 first sentence—

15 (1) by striking “collect any costs” and inserting
16 “recover any costs”; and

17 (2) by striking “similar project” and inserting
18 “similar projects”.

TITLE II—HABITAT CONSERVATION

SEC. 201. AVAILABILITY OF LAND AND WATER CONSERVATION FUND FOR RECREATIONAL PUBLIC ACCESS PROJECTS.

(a) AVAILABILITY OF FUNDS.—Section 3 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–6) is amended to read as follows:

“SEC. 3. AVAILABILITY OF FUNDS FOR CERTAIN PROJECTS.

“(a) IN GENERAL.—Notwithstanding any other provision of this Act, the Secretary of the Interior and the Secretary of Agriculture shall ensure that, of the amounts requested for the fund for each fiscal year, not less than the greater of 1.5 percent of the amounts or \$10,000,000 shall be made available for projects identified on the priority list developed under subsection (b).

“(b) PRIORITY LIST.—The Secretary of the Interior and the Secretary of Agriculture, in consultation with the head of each affected Federal agency, shall annually develop a priority list for the sites under the jurisdiction of the applicable Secretary.

“(c) CRITERIA.—Projects identified on the priority list developed under subsection (b) shall secure recreational public access to Federal public land in existence as of the date of enactment of this section that has signifi-

1 cantly restricted access for hunting, fishing, and other rec-
 2 reational purposes through rights-of-way or acquisition of
 3 land (or any interest in land) from willing sellers.”.

4 (b) CONFORMING AMENDMENTS.—The Land and
 5 Water Conservation Fund Act of 1965 (16 U.S.C. 460l–
 6 4 et seq.) is amended—

7 (1) in the proviso at the end of section 2(c)(2)
 8 (16 U.S.C. 460l–5(c)(2)), by striking “notwith-
 9 standing the provisions of section 3 of this Act”;

10 (2) in the first sentence of section 9 (16 U.S.C.
 11 460l–10a), by striking “by section 3 of this Act”;
 12 and

13 (3) in the third sentence of section 10 (16
 14 U.S.C. 460l–10b), by striking “by section 3 of this
 15 Act”.

16 **SEC. 202. FEDERAL LAND TRANSACTION FACILITATION**
 17 **ACT.**

18 (a) IN GENERAL.—The Federal Land Transaction
 19 Facilitation Act is amended—

20 (1) in section 203(2) (43 U.S.C. 2302(2)), by
 21 striking “on the date of enactment of this Act was”
 22 and inserting “is”;

23 (2) in section 205 (43 U.S.C. 2304)—

1 (A) in subsection (a), by striking “(as in
 2 effect on the date of enactment of this Act)”;
 3 and

4 (B) by striking subsection (d);

5 (3) in section 206 (43 U.S.C. 2305), by striking
 6 subsection (f); and

7 (4) in section 207(b) (43 U.S.C. 2306(b))—

8 (A) in paragraph (1)—

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

11 (ii) by striking “; or” and inserting a
 12 semicolon;

13 (B) in paragraph (2)—

14 (i) by inserting “Public Law 105–
 15 263;” before “112 Stat.”; and

16 (ii) by striking the period at the end
 17 and inserting a semicolon; and

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

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

22 “(4) the Lincoln County Conservation, Recre-
 23 ation, and Development Act of 2004 (Public Law
 24 108–424; 118 Stat. 2403);

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

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

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

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

13 (b) DEFICIT REDUCTION.—Of the amounts deposited
 14 in the Federal Land Disposal Account, there shall be
 15 transferred to the Treasury and used for Federal budget
 16 deficit reduction, \$1,000,000 for each of fiscal years 2014
 17 through 2023.

18 **SEC. 203. NORTH AMERICAN WETLANDS CONSERVATION**

19 **ACT.**

20 Section 7(c) of the North American Wetlands Con-
 21 servation Act (16 U.S.C. 4406(c)) is amended—

22 (1) in paragraph (4), by striking “and”;

23 (2) in paragraph (5), by striking the period at
 24 the end and inserting “; and”; and

25 (3) by adding at the end the following:

1 “(6) \$50,000,000 for each of fiscal years 2014
2 through 2019.”.

3 **SEC. 204. NATIONAL FISH AND WILDLIFE FOUNDATION ES-**
4 **TABLISHMENT ACT.**

5 (a) BOARD OF DIRECTORS OF THE FOUNDATION.—

6 (1) IN GENERAL.—Section 3 of the National
7 Fish and Wildlife Foundation Establishment Act (16
8 U.S.C. 3702) is amended—

9 (A) in subsection (b)—

10 (i) by striking paragraph (2) and in-
11 serting the following:

12 “(2) IN GENERAL.—After consulting with the
13 Secretary of Commerce and considering the rec-
14 ommendations submitted by the Board, the Sec-
15 retary of the Interior shall appoint 28 Directors
16 who, to the maximum extent practicable, shall—

17 “(A) be knowledgeable and experienced in
18 matters relating to the conservation of fish,
19 wildlife, or other natural resources; and

20 “(B) represent a balance of expertise in
21 ocean, coastal, freshwater, and terrestrial re-
22 source conservation.”; and

23 (ii) by striking paragraph (3) and in-
24 serting the following:

“(3) TERMS.—Each Director (other than a Director described in paragraph (1)) shall be appointed for a term of 6 years.”; and

(B) in subsection (g)(2)—

(i) in subparagraph (A), by striking

“(A) Officers and employees may not be appointed until the Foundation has sufficient funds to pay them for their service. Officers” and inserting the following:

“(A) IN GENERAL.—Officers”; and

(ii) by striking subparagraph (B) and

inserting the following:

“(B) EXECUTIVE DIRECTOR.—The Foundation shall have an Executive Director who shall be—

“(i) appointed by, and serve at the direction of, the Board as the chief executive officer of the Foundation; and

“(ii) knowledgeable and experienced in matters relating to fish and wildlife conservation.”.

(2) CONFORMING AMENDMENT.—Section 4(a)(1)(B) of the North American Wetlands Conservation Act (16 U.S.C. 4403(a)(1)(B)) is amended

1 by striking “Secretary of the Board” and inserting
 2 “Executive Director of the Board”.

3 (b) RIGHTS AND OBLIGATIONS OF THE FOUNDA-
 4 TION.—Section 4 of the National Fish and Wildlife Foun-
 5 dation Establishment Act (16 U.S.C. 3703) is amended—

6 (1) in subsection (c)—

7 (A) by striking “(c) POWERS.—To carry
 8 out its purposes under” and inserting the fol-
 9 lowing:

10 “(c) POWERS.—

11 “(1) IN GENERAL.—To carry out the purposes
 12 described in”;

13 (B) by redesignating paragraphs (1)
 14 through (11) as subparagraphs (A) through
 15 (K), respectively, and indenting appropriately;

16 (C) in subparagraph (D) (as redesignated
 17 by subparagraph (B)), by striking “that are in-
 18 sured by an agency or instrumentality of the
 19 United States” and inserting “at 1 or more fi-
 20 nancial institutions that are members of the
 21 Federal Deposit Insurance Corporation or the
 22 Securities Investment Protection Corporation”;

23 (D) in subparagraph (E) (as redesignated
 24 by subparagraph (B)), by striking “paragraph

1 (3) or (4)” and inserting “subparagraph (C) or
2 (D)”;

3 (E) in subparagraph (J) (as redesignated
4 by subparagraph (B)), by striking “; and” and
5 inserting a semicolon;

6 (F) by striking subparagraph (K) (as re-
7 designated by subparagraph (B)) and inserting
8 the following:

9 “(K) to receive and administer restitution
10 and community service payments, amounts for
11 mitigation of impacts to natural resources, and
12 other amounts arising from legal, regulatory, or
13 administrative proceedings, subject to the con-
14 dition that the amounts are received or admin-
15 istered for purposes that further the conserva-
16 tion and management of fish, wildlife, plants,
17 and other natural resources; and

18 “(L) to do acts necessary to carry out the
19 purposes of the Foundation.”; and

20 (G) by striking the undesignated matter at
21 the end and inserting the following:

22 “(2) TREATMENT OF REAL PROPERTY.—

23 “(A) IN GENERAL.—For purposes of this
24 Act, an interest in real property shall be treated
25 as including easements or other rights for pres-

ervation, conservation, protection, or enhancement by and for the public of natural, scenic, historic, scientific, educational, inspirational, or recreational resources.

“(B) ENCUMBERED REAL PROPERTY.—A gift, devise, or bequest may be accepted by the Foundation even though the gift, devise, or bequest is encumbered, restricted, or subject to beneficial interests of private persons if any current or future interest in the gift, devise, or bequest is for the benefit of the Foundation.

“(3) SAVINGS CLAUSE.—The acceptance and administration of amounts by the Foundation under paragraph (1)(K) does not alter, supersede, or limit any regulatory or statutory requirement associated with those amounts.”;

(2) by striking subsections (f) and (g); and

(3) by redesignating subsections (h) and (i) as subsections (f) and (g), respectively.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 10 of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3709) is amended—

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

1 “(1) IN GENERAL.—There are authorized to be
2 appropriated to carry out this Act for each of fiscal
3 years 2014 through 2019—

4 “(A) \$15,000,000 to the Secretary of the
5 Interior;

6 “(B) \$5,000,000 to the Secretary of Agri-
7 culture; and

8 “(C) \$5,000,000 to the Secretary of Com-
9 merce.”;

10 (2) in subsection (b)—

11 (A) by striking paragraph (1) and insert-
12 ing the following:

13 “(1) AMOUNTS FROM FEDERAL AGENCIES.—

14 “(A) IN GENERAL.—In addition to the
15 amounts authorized to be appropriated under
16 subsection (a), Federal departments, agencies,
17 or instrumentalities may provide Federal funds
18 to the Foundation, subject to the condition that
19 the amounts are used for purposes that further
20 the conservation and management of fish, wild-
21 life, plants, and other natural resources in ac-
22 cordance with this Act.

23 “(B) ADVANCES.—Federal departments,
24 agencies, or instrumentalities may advance
25 amounts described in subparagraph (A) to the

1 Foundation in a lump sum without regard to
 2 when the expenses for which the amounts are
 3 used are incurred.

4 “(C) MANAGEMENT FEES.—The Founda-
 5 tion may assess and collect fees for the manage-
 6 ment of amounts received under this para-
 7 graph.”;

8 (B) in paragraph (2)—

9 (i) in the paragraph heading, by strik-
 10 ing “FUNDS” and inserting “AMOUNTS”;

11 (ii) by striking “shall be used” and in-
 12 serting “may be used”; and

13 (iii) by striking “and State and local
 14 government agencies” and inserting “,
 15 State and local government agencies, and
 16 other entities”; and

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

18 “(3) ADMINISTRATION OF AMOUNTS.—

19 “(A) IN GENERAL.—In entering into con-
 20 tracts, agreements, or other partnerships pursu-
 21 ant to this Act, a Federal department, agency,
 22 or instrumentality shall have discretion to waive
 23 any competitive process applicable to the de-
 24 partment, agency, or instrumentality for enter-
 25 ing into contracts, agreements, or partnerships

1 with the Foundation if the purpose of the waiv-
 2 er is—

3 “(i) to address an environmental
 4 emergency resulting from a natural or
 5 other disaster; or

6 “(ii) as determined by the head of the
 7 applicable Federal department, agency, or
 8 instrumentality, to reduce administrative
 9 expenses and expedite the conservation and
 10 management of fish, wildlife, plants, and
 11 other natural resources.

12 “(B) REPORTS.—The Foundation shall in-
 13 clude in the annual report submitted under sec-
 14 tion 7(b) a description of any use of the author-
 15 ity under subparagraph (A) by a Federal de-
 16 partment, agency, or instrumentality in that fis-
 17 cal year.”; and

18 (3) by adding at the end the following:

19 “(d) USE OF GIFTS, DEVISES, OR BEQUESTS OF
 20 MONEY OR OTHER PROPERTY.—Any gifts, devises, or be-
 21 quests of amounts or other property, or any other amounts
 22 or other property, transferred to, deposited with, or other-
 23 wise in the possession of the Foundation pursuant to this
 24 Act, may be made available by the Foundation to Federal
 25 departments, agencies, or instrumentalities and may be

1 accepted and expended (or the disposition of the amounts
2 or property directed), without further appropriation, by
3 those Federal departments, agencies, or instrumentalities,
4 subject to the condition that the amounts or property be
5 used for purposes that further the conservation and man-
6 agement of fish, wildlife, plants, and other natural re-
7 sources.”.

8 (d) LIMITATION ON AUTHORITY.—Section 11 of the
9 National Fish and Wildlife Foundation Establishment Act
10 (16 U.S.C. 3710) is amended by inserting “exclusive” be-
11 fore “authority”.

Calendar No. 304

113TH CONGRESS
2^D Session

S. 1996

A BILL

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

FEBRUARY 6, 2014

Read the second time and placed on the calendar