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2D SESSION

H. R. 2406

IN THE SENATE OF THE UNITED STATES

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Read twice and referred to the Committee on Energy and Natural Resources

AN ACT

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,*

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Sportsmen’s Heritage
3 and Recreational Enhancement Act” or the “SHARE
4 Act”.

5 SEC. 2. TABLE OF CONTENTS.

6 The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.
Sec. 3. Report on economic impact.

**TITLE I—HUNTING, FISHING AND RECREATIONAL SHOOTING
PROTECTION ACT**

Sec. 101. Short title.
Sec. 102. Modification of definition.
Sec. 103. Limitation on authority to regulate ammunition and fishing tackle.

**TITLE II—TARGET PRACTICE AND MARKSMANSHIP TRAINING
SUPPORT ACT**

Sec. 201. Short title.
Sec. 202. Findings; purpose.
Sec. 203. Definition of public target range.
Sec. 204. Amendments to Pittman-Robertson Wildlife Restoration Act.
Sec. 205. Limits on liability.
Sec. 206. Sense of Congress regarding cooperation.

TITLE III—POLAR BEAR CONSERVATION AND FAIRNESS ACT

Sec. 301. Short title.
Sec. 302. Permits for importation of polar bear trophies taken in sport hunts
in Canada.

TITLE IV—RECREATIONAL LANDS SELF-DEFENSE ACT

Sec. 401. Short title.
Sec. 402. Protecting Americans from violent crime.

**TITLE V—WILDLIFE AND HUNTING HERITAGE CONSERVATION
COUNCIL ADVISORY COMMITTEE**

Sec. 501. Wildlife and Hunting Heritage Conservation Council Advisory Com-
mittee.

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

Sec. 601. Short title.
Sec. 602. Findings.
Sec. 603. Fishing, hunting, and recreational shooting.
Sec. 604. Volunteer Hunters; Reports; Closures and Restrictions.

TITLE VII—FARMER AND HUNTER PROTECTION ACT

- Sec. 701. Short title.
- Sec. 702. Baiting of migratory game birds.

TITLE VIII—TRANSPORTING BOWS ACROSS NATIONAL PARK
SERVICE LANDS

- Sec. 801. Short title.
- Sec. 802. Bowhunting opportunity and wildlife stewardship.

TITLE IX—FEDERAL LAND TRANSACTION FACILITATION ACT
REAUTHORIZATION (FLTFA)

- Sec. 901. Short title.
- Sec. 902. Federal Land Transaction Facilitation Act.

TITLE X—AFRICAN ELEPHANT CONSERVATION AND LEGAL
IVORY POSSESSION ACT

- Sec. 1001. Short title.
- Sec. 1002. References.
- Sec. 1003. Limited exemption for certain African elephant ivory.
- Sec. 1004. Placement of United States Fish and Wildlife Service law enforcement officers in each African elephant range country.
- Sec. 1005. Certification for the purposes of the Fishermen's Protective Act of 1967.
- Sec. 1006. Treatment of elephant ivory.
- Sec. 1007. Sport-hunted elephant trophies.
- Sec. 1008. African Elephant Conservation Act financial assistance priority and reauthorization.
- Sec. 1009. Government Accountability Office study.

TITLE XI—RESPECT FOR TREATIES AND RIGHTS

- Sec. 1101. Respect for Treaties and Rights.

TITLE XII—PERMITS FOR FILM CREWS OF FIVE PEOPLE OR
LESS

- Sec. 1201. Annual permit and fee for film crews of 5 persons or fewer.

TITLE XIII—STATE APPROVAL OF FISHING RESTRICTION

- Sec. 1301. State or Territorial Approval of Restriction of Recreational or Commercial Fishing Access to Certain State or Territorial Waters.

TITLE XIV—HUNTING AND RECREATIONAL FISHING WITHIN
CERTAIN NATIONAL FORESTS

- Sec. 1401. Definitions.
- Sec. 1402. Hunting and recreational fishing within the national forest system.
- Sec. 1403. Publication of Closure of Roads in Forests.

TITLE XV—GRAND CANYON BISON MANAGEMENT ACT

- Sec. 1501. Short title.
- Sec. 1502. Definitions.
- Sec. 1503. Bison management plan for Grand Canyon National Park.

TITLE XVI—OPEN BOOK ON EQUAL ACCESS TO JUSTICE

Sec. 1601. Short title.

Sec. 1602. Modification of equal access to justice provisions.

TITLE XVII—UTILITY TERRAIN VEHICLES

Sec. 1701. Utility terrain vehicles in Kisatchie National Forest.

TITLE XVIII—GOOD SAMARITAN SEARCH AND RECOVERY

Sec. 1801. Short title.

Sec. 1802. Expedited access to certain Federal land.

TITLE XIX—INTERSTATE TRANSPORTATION OF FIREARMS OR
AMMUNITION

Sec. 1901. Interstate transportation of firearms or ammunition.

TITLE XX—GRAY WOLVES

Sec. 2001. Reissuance of final rule regarding gray wolves in the Western Great Lakes.

Sec. 2002. Reissuance of final rule regarding gray wolves in Wyoming.

TITLE XXI—MISCELLANEOUS PROVISIONS

Sec. 2101. Prohibition on issuance of final rule.

Sec. 2102. Withdrawal of existing rule regarding hunting and trapping in Alaska.

1 **SEC. 3. REPORT ON ECONOMIC IMPACT.**

2 Not later than 12 months after the date of the enact-
3 ment of this Act, the Secretary of Interior shall submit
4 a report to Congress that assesses expected economic im-
5 pacts of the Act. Such report shall include—

6 (1) a review of any expected increases in rec-
7 reational hunting, fishing, shooting, and conserva-
8 tion activities;

9 (2) an estimate of any jobs created in each in-
10 dustry expected to support such activities described
11 in paragraph (1), including in the supply, manufac-
12 turing, distribution, and retail sectors;

1 (3) an estimate of wages related to jobs de-
2 scribed in paragraph (2); and

3 (4) an estimate of anticipated new local, State,
4 and Federal revenue related to jobs described in
5 paragraph (2).

6 **TITLE I—HUNTING, FISHING**
7 **AND RECREATIONAL SHOOT-**
8 **ING PROTECTION ACT**

9 **SEC. 101. SHORT TITLE.**

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

12 **SEC. 102. MODIFICATION OF DEFINITION.**

13 Section 3(2)(B) of the Toxic Substances Control Act
14 (15 U.S.C. 2602(2)(B)) is amended—

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

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

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

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

1 4161(a) of such Code (determined without regard to
2 any exemptions from such tax as provided by section
3 4162 or 4221 or any other provision of such Code),
4 and sport fishing equipment components.”.

5 **SEC. 103. LIMITATION ON AUTHORITY TO REGULATE AM-**
6 **MUNITION AND FISHING TACKLE.**

7 (a) **LIMITATION.**—Except as provided in section
8 20.21 of title 50, Code of Federal Regulations, as in effect
9 on the date of the enactment of this Act, or any substan-
10 tially similar successor regulation thereto, the Secretary
11 of the Interior, the Secretary of Agriculture, and, except
12 as provided by subsection (b), any bureau, service, or of-
13 fice of the Department of the Interior or the Department
14 of Agriculture, may not regulate the use of ammunition
15 cartridges, ammunition components, or fishing tackle
16 based on the lead content thereof if such use is in compli-
17 ance with the law of the State in which the use occurs.

18 (b) **EXCEPTION.**—The limitation in subsection (a)
19 shall not apply to the United States Fish and Wildlife
20 Service or the National Park Service.

1 **TITLE II—TARGET PRACTICE**
2 **AND MARKSMANSHIP TRAIN-**
3 **ING SUPPORT ACT**

4 **SEC. 201. SHORT TITLE.**

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

7 **SEC. 202. FINDINGS; PURPOSE.**

8 (a) FINDINGS.—Congress finds that—

9 (1) the use of firearms and archery equipment
10 for target practice and marksmanship training ac-
11 tivities on Federal land is allowed, except to the ex-
12 tent specific portions of that land have been closed
13 to those activities;

14 (2) in recent years preceding the date of enact-
15 ment of this Act, portions of Federal land have been
16 closed to target practice and marksmanship training
17 for many reasons;

18 (3) the availability of public target ranges on
19 non-Federal land has been declining for a variety of
20 reasons, including continued population growth and
21 development near former ranges;

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

1 (A) to promote enjoyment of shooting, rec-
2 reational, and hunting activities; and

3 (B) to ensure safe and convenient locations
4 for those activities;

5 (5) Federal law in effect on the date of enact-
6 ment of this Act, including the Pittman-Robertson
7 Wildlife Restoration Act (16 U.S.C. 669 et seq.),
8 provides Federal support for construction and ex-
9 pansion of public target ranges by making available
10 to States amounts that may be used for construc-
11 tion, operation, and maintenance of public target
12 ranges; and

13 (6) it is in the public interest to provide in-
14 creased Federal support to facilitate the construction
15 or expansion of public target ranges.

16 (b) PURPOSE.—The purpose of this title is to facili-
17 tate the construction and expansion of public target
18 ranges, including ranges on Federal land managed by the
19 Forest Service and the Bureau of Land Management.

20 **SEC. 203. DEFINITION OF PUBLIC TARGET RANGE.**

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

23 (1) is identified by a governmental agency for
24 recreational shooting;

25 (2) is open to the public;

1 (3) may be supervised; and

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

4 **SEC. 204. AMENDMENTS TO PITTMAN-ROBERTSON WILD-**
5 **LIFE RESTORATION ACT.**

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

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

11 (2) by inserting after paragraph (1) the fol-
12 lowing:

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

1 (1) by striking “(b) Each State” and inserting
2 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 (2) in paragraph (1) (as so designated), by
8 striking “construction, operation,” and inserting
9 “operation”;

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

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

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

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

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

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 (c) FIREARM AND BOW HUNTER EDUCATION AND
25 SAFETY PROGRAM GRANTS.—Section 10 of the Pittman-

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

3 (1) in subsection (a), by adding at the end the
4 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 (2) by striking subsection (b) and inserting the
13 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 (3) in subsection (c)(1)—

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

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

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

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

16 **SEC. 205. LIMITS ON LIABILITY.**

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

1 (b) CIVIL ACTION OR CLAIMS.—Except to the extent
2 provided in chapter 171 of title 28, United States Code,
3 the United States shall not be subject to any civil action
4 or claim for money damages for any injury to or loss of
5 property, personal injury, or death caused by an activity
6 occurring at a public target range that is—

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

11 **SEC. 206. SENSE OF CONGRESS REGARDING COOPERATION.**

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

20 **TITLE III—POLAR BEAR CON-**
21 **SERVATION AND FAIRNESS**
22 **ACT**

23 **SEC. 301. SHORT TITLE.**

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

1 **SEC. 302. PERMITS FOR IMPORTATION OF POLAR BEAR**
2 **TROPHIES TAKEN IN SPORT HUNTS IN CAN-**
3 **ADA.**

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

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

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

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

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

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

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

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

18 **SEC. 401. SHORT TITLE.**

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

21 **SEC. 402. PROTECTING AMERICANS FROM VIOLENT CRIME.**

22 (a) FINDINGS.—Congress finds the following:

23 (1) The Second Amendment to the Constitution
24 provides that “the right of the people to keep and
25 bear Arms, shall not be infringed”.

1 (2) Section 327.13 of title 36, Code of Federal
2 Regulations, provides that, except in special cir-
3 cumstances, “possession of loaded firearms, ammu-
4 nition, loaded projectile firing devices, bows and ar-
5 rows, crossbows, or other weapons is prohibited” at
6 water resources development projects administered
7 by the Secretary of the Army.

8 (3) The regulations described in paragraph (2)
9 prevent individuals complying with Federal and
10 State laws from exercising the second amendment
11 rights of the individuals while at such water re-
12 sources development projects.

13 (4) The Federal laws should make it clear that
14 the second amendment rights of an individual at a
15 water resources development project should not be
16 infringed.

17 (b) PROTECTING THE RIGHT OF INDIVIDUALS TO
18 BEAR ARMS AT WATER RESOURCES DEVELOPMENT
19 PROJECTS.—The Secretary of the Army shall not promul-
20 gate or enforce any regulation that prohibits an individual
21 from possessing a firearm, including an assembled or func-
22 tional firearm, at a water resources development project
23 covered under section 327.0 of title 36, Code of Federal
24 Regulations (as in effect on the date of enactment of this
25 Act), if—

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

3 (2) the possession of the firearm is in compli-
4 ance with the law of the State in which the water
5 resources development project is located.

6 **TITLE V—WILDLIFE AND HUNT-**
7 **ING HERITAGE CONSERVA-**
8 **TION COUNCIL ADVISORY**
9 **COMMITTEE**

10 **SEC. 501. WILDLIFE AND HUNTING HERITAGE CONSERVA-**
11 **TION COUNCIL ADVISORY COMMITTEE.**

12 The Fish and Wildlife Coordination Act (16 U.S.C.
13 661 et seq.) is amended by adding at the end the fol-
14 lowing:

15 **“SEC. 10. WILDLIFE AND HUNTING HERITAGE CONSERVA-**
16 **TION COUNCIL ADVISORY COMMITTEE.**

17 “(a) ESTABLISHMENT.—There is hereby established
18 the Wildlife and Hunting Heritage Conservation Council
19 Advisory Committee (in this section referred to as the ‘Ad-
20 visory Committee’) to advise the Secretaries of the Interior
21 and Agriculture on wildlife and habitat conservation,
22 hunting, and recreational shooting.

23 “(b) CONTINUANCE AND ABOLISHMENT OF EXIST-
24 ING WILDLIFE AND HUNTING HERITAGE CONSERVATION
25 COUNCIL.—The Wildlife and Hunting Heritage Conserva-

1 tion Council established pursuant to section 441 of the
2 Revised Statutes (43 U.S.C. 1457), section 2 of the Fish
3 and Wildlife Act of 1956 (16 U.S.C. 742a), and other Acts
4 applicable to specific bureaus of the Department of the
5 Interior—

6 “(1) shall continue until the date of the first
7 meeting of the Wildlife and Hunting Heritage Con-
8 servation Council established by the amendment
9 made by subsection (a); and

10 “(2) is hereby abolished effective on that date.

11 “(c) DUTIES OF THE ADVISORY COMMITTEE.—The
12 Advisory Committee shall advise the Secretaries with re-
13 gard to—

14 “(1) implementation of Executive Order No.
15 13443: Facilitation of Hunting Heritage and Wild-
16 life Conservation, which directs Federal agencies ‘to
17 facilitate the expansion and enhancement of hunting
18 opportunities and the management of game species
19 and their habitat’;

20 “(2) policies or programs to conserve and re-
21 store wetlands, agricultural lands, grasslands, forest,
22 and rangeland habitats;

23 “(3) policies or programs to promote opportuni-
24 ties and access to hunting and shooting sports on
25 Federal lands;

1 “(4) policies or programs to recruit and retain
2 new hunters and shooters;

3 “(5) policies or programs that increase public
4 awareness of the importance of wildlife conservation
5 and the social and economic benefits of recreational
6 hunting and shooting; and

7 “(6) policies or programs that encourage co-
8 ordination among the public, the hunting and shoot-
9 ing sports community, wildlife conservation groups,
10 and States, tribes, and the Federal Government.

11 “(d) MEMBERSHIP.—

12 “(1) APPOINTMENT.—

13 “(A) IN GENERAL.—The Advisory Com-
14 mittee shall consist of no more than 16 discre-
15 tionary members and 8 ex officio members.

16 “(B) EX OFFICIO MEMBERS.—The ex offi-
17 cio members are—

18 “(i) the Director of the United States
19 Fish and Wildlife Service or a designated
20 representative of the Director;

21 “(ii) the Director of the Bureau of
22 Land Management or a designated rep-
23 resentative of the Director;

1 “(iii) the Director of the National
2 Park Service or a designated representa-
3 tive of the Director;

4 “(iv) the Chief of the Forest Service
5 or a designated representative of the Chief;

6 “(v) the Chief of the Natural Re-
7 sources Conservation Service or a des-
8 ignated representative of the Chief;

9 “(vi) the Administrator of the Farm
10 Service Agency or a designated representa-
11 tive of the Administrator;

12 “(vii) the Executive Director of the
13 Association of Fish and Wildlife Agencies;
14 and

15 “(viii) the Administrator of the Small
16 Business Administration or designated rep-
17 resentative.

18 “(C) DISCRETIONARY MEMBERS.—The dis-
19 cretionary members shall be appointed jointly
20 by the Secretaries from at least one of each of
21 the following:

22 “(i) State fish and wildlife agencies.

23 “(ii) Game bird hunting organiza-
24 tions.

1 “(iii) Wildlife conservation organiza-
2 tions.

3 “(iv) Big game hunting organizations.

4 “(v) Waterfowl hunting organizations.

5 “(vi) The tourism, outfitter, or guid-
6 ing industry.

7 “(vii) The firearms or ammunition
8 manufacturing industry.

9 “(viii) The hunting or shooting equip-
10 ment retail industry.

11 “(ix) Tribal resource management or-
12 ganizations.

13 “(x) The agriculture industry.

14 “(xi) The ranching industry.

15 “(xii) Women’s hunting and fishing
16 advocacy, outreach, or education organiza-
17 tion.

18 “(xiii) Minority hunting and fishing
19 advocacy, outreach, or education organiza-
20 tion.

21 “(xiv) Veterans service organization.

22 “(D) ELIGIBILITY.—Prior to the appoint-
23 ment of the discretionary members, the Secre-
24 taries shall determine that all individuals nomi-
25 nated for appointment to the Advisory Com-

mittee, and the organization each individual represents, actively support and promote sustainable-use hunting, wildlife conservation, and recreational shooting.

“(2) TERMS.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), members of the Advisory Committee shall be appointed for a term of 4 years. Members shall not be appointed for more than 3 consecutive or nonconsecutive terms.

“(B) TERMS OF INITIAL APPOINTEES.—As designated by the Secretary at the time of appointment, of the members first appointed—

“(i) 6 members shall be appointed for a term of 4 years;

“(ii) 5 members shall be appointed for a term of 3 years; and

“(iii) 5 members shall be appointed for a term of 2 years.

“(3) PRESERVATION OF PUBLIC ADVISORY STATUS.—No individual may be appointed as a discretionary member of the Advisory Committee while serving as an officer or employee of the Federal Government.

“(4) VACANCY AND REMOVAL.—

1 “(A) IN GENERAL.—Any vacancy on the
2 Advisory Committee shall be filled in the man-
3 ner in which the original appointment was
4 made.

5 “(B) REMOVAL.—Advisory Committee
6 members shall serve at the discretion of the
7 Secretaries and may be removed at any time for
8 good cause.

9 “(5) CONTINUATION OF SERVICE.—Each ap-
10 pointed member may continue to serve after the ex-
11 piration of the term of office to which such member
12 was appointed until a successor has been appointed.

13 “(6) CHAIRPERSON.—The Chairperson of the
14 Advisory Committee shall be appointed for a 3-year
15 term by the Secretaries, jointly, from among the
16 members of the Advisory Committee. An individual
17 may not be appointed as Chairperson for more than
18 2 consecutive or nonconsecutive terms.

19 “(7) PAY AND EXPENSES.—Members of the Ad-
20 visory Committee shall serve without pay for such
21 service, but each member of the Advisory Committee
22 may be reimbursed for travel and lodging incurred
23 through attending meetings of the Advisory Com-
24 mittee approved subgroup meetings in the same
25 amounts and under the same conditions as Federal

1 employees (in accordance with section 5703 of title
2 5, United States Code).

3 “(8) MEETINGS.—

4 “(A) IN GENERAL.—The Advisory Com-
5 mittee shall meet at the call of the Secretaries,
6 the chairperson, or a majority of the members,
7 but not less frequently than twice annually.

8 “(B) OPEN MEETINGS.—Each meeting of
9 the Advisory Committee shall be open to the
10 public.

11 “(C) PRIOR NOTICE OF MEETINGS.—Time-
12 ly notice of each meeting of the Advisory Com-
13 mittee shall be published in the Federal Reg-
14 ister and be submitted to trade publications and
15 publications of general circulation.

16 “(D) SUBGROUPS.—The Advisory Com-
17 mittee may establish such workgroups or sub-
18 groups as it deems necessary for the purpose of
19 compiling information or conducting research.
20 However, such workgroups may not conduct
21 business without the direction of the Advisory
22 Committee and must report in full to the Advi-
23 sory Committee.

24 “(9) QUORUM.—Nine members of the Advisory
25 Committee shall constitute a quorum.

1 “(e) EXPENSES.—The expenses of the Advisory Com-
2 mittee that the Secretaries determine to be reasonable and
3 appropriate shall be paid by the Secretaries.

4 “(f) ADMINISTRATIVE SUPPORT, TECHNICAL SERV-
5 ICES, AND ADVICE.—A designated Federal Officer shall
6 be jointly appointed by the Secretaries to provide to the
7 Advisory Committee the administrative support, technical
8 services, and advice that the Secretaries determine to be
9 reasonable and appropriate.

10 “(g) ANNUAL REPORT.—

11 “(1) REQUIRED.—Not later than September 30
12 of each year, the Advisory Committee shall submit
13 a report to the Secretaries, the Committee on Nat-
14 ural Resources and the Committee on Agriculture of
15 the House of Representatives, and the Committee on
16 Energy and Natural Resources and the Committee
17 on Agriculture, Nutrition, and Forestry of the Sen-
18 ate. If circumstances arise in which the Advisory
19 Committee cannot meet the September 30 deadline
20 in any year, the Secretaries shall advise the Chair-
21 persons of each such Committee of the reasons for
22 such delay and the date on which the submission of
23 the report is anticipated.

24 “(2) CONTENTS.—The report required by para-
25 graph (1) shall describe—

1 “(A) the activities of the Advisory Com-
2 mittee during the preceding year;

3 “(B) the reports and recommendations
4 made by the Advisory Committee to the Secre-
5 taries during the preceding year; and

6 “(C) an accounting of actions taken by the
7 Secretaries as a result of the recommendations.

8 “(h) FEDERAL ADVISORY COMMITTEE ACT.—The
9 Advisory Committee shall be exempt from the Federal Ad-
10 visory Committee Act (5 U.S.C. App.).”.

11 **TITLE VI—RECREATIONAL FISH-** 12 **ING AND HUNTING HERITAGE** 13 **OPPORTUNITIES ACT**

14 **SEC. 601. SHORT TITLE.**

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

17 **SEC. 602. FINDINGS.**

18 Congress finds that—

19 (1) recreational fishing and hunting are impor-
20 tant and traditional activities in which millions of
21 Americans participate;

22 (2) recreational anglers and hunters have been
23 and continue to be among the foremost supporters
24 of sound fish and wildlife management and conserva-
25 tion in the United States;

1 (3) recreational fishing and hunting are envi-
2 ronmentally acceptable and beneficial activities that
3 occur and can be provided on Federal lands and
4 waters without adverse effects on other uses or
5 users;

6 (4) recreational anglers, hunters, and sporting
7 organizations provide direct assistance to fish and
8 wildlife managers and enforcement officers of the
9 Federal Government as well as State and local gov-
10 ernments by investing volunteer time and effort to
11 fish and wildlife conservation;

12 (5) recreational anglers, hunters, and the asso-
13 ciated industries have generated billions of dollars of
14 critical funding for fish and wildlife conservation, re-
15 search, and management by providing revenues from
16 purchases of fishing and hunting licenses, permits,
17 and stamps, as well as excise taxes on fishing, hunt-
18 ing, and recreational shooting equipment that have
19 generated billions of dollars of critical funding for
20 fish and wildlife conservation, research, and manage-
21 ment;

22 (6) recreational shooting is also an important
23 and traditional activity in which millions of Ameri-
24 cans participate;

1 (7) safe recreational shooting is a valid use of
2 Federal lands, including the establishment of safe
3 and convenient recreational shooting ranges on such
4 lands, and participation in recreational shooting
5 helps recruit and retain hunters and contributes to
6 wildlife conservation;

7 (8) opportunities to recreationally fish, hunt,
8 and shoot are declining, which depresses participa-
9 tion in these traditional activities, and depressed
10 participation adversely impacts fish and wildlife con-
11 servation and funding for important conservation ef-
12 forts; and

13 (9) the public interest would be served, and our
14 citizens' fish and wildlife resources benefitted, by ac-
15 tion to ensure that opportunities are facilitated to
16 engage in fishing and hunting on Federal land as
17 recognized by Executive Order No. 12962, relating
18 to recreational fisheries, and Executive Order No.
19 13443, relating to facilitation of hunting heritage
20 and wildlife conservation.

21 **SEC. 603. FISHING, HUNTING, AND RECREATIONAL SHOOT-**
22 **ING.**

23 (a) DEFINITIONS.—In this section:

24 (1) FEDERAL LAND.—The term “Federal land”
25 means any land or water that is owned by the

1 United States and under the administrative jurisdic-
2 tion of the Bureau of Land Management or the For-
3 est Service.

4 (2) FEDERAL LAND MANAGEMENT OFFI-
5 CIALS.—The term “Federal land management offi-
6 cials” means—

7 (A) the Secretary of the Interior and Di-
8 rector of the Bureau of Land Management re-
9 garding Bureau of Land Management lands
10 and interests in lands under the administrative
11 jurisdiction of the Bureau of Land Manage-
12 ment; and

13 (B) the Secretary of Agriculture and Chief
14 of the Forest Service regarding National Forest
15 System lands.

16 (3) HUNTING.—

17 (A) IN GENERAL.—Except as provided in
18 subparagraph (B), the term “hunting” means
19 use of a firearm, bow, or other authorized
20 means in the lawful—

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

23 (ii) attempt to pursue, shoot, capture,
24 collect, trap, or kill wildlife; or

1 (iii) the training of hunting dogs, in-
2 cluding field trials.

3 (B) EXCLUSION.—The term “hunting”
4 does not include the use of skilled volunteers to
5 cull excess animals (as defined by other Federal
6 law).

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

9 (A) pursuit, capture, collection, or killing
10 of fish; or

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

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

17 (b) IN GENERAL.—Subject to valid existing rights
18 and subsection (e), and cooperation with the respective
19 State fish and wildlife agency, Federal land management
20 officials shall exercise authority under existing law, includ-
21 ing provisions regarding land use planning, to facilitate
22 use of and access to Federal lands, including National
23 Monuments, Wilderness Areas, Wilderness Study Areas,
24 and lands administratively classified as wilderness eligible
25 or suitable and primitive or semi-primitive areas, for fish-

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

3 (1) statutory authority that authorizes action or
4 withholding action for reasons of national security,
5 public safety, or resource conservation;

6 (2) any other Federal statute that specifically
7 precludes fishing, hunting, or recreational shooting
8 on specific Federal lands, waters, or units thereof;
9 and

10 (3) discretionary limitations on fishing, hunt-
11 ing, and recreational shooting determined to be nec-
12 essary and reasonable as supported by the best sci-
13 entific evidence and advanced through a transparent
14 public process.

15 (c) MANAGEMENT.—Consistent with subsection (a),
16 Federal land management officials shall exercise their land
17 management discretion—

18 (1) in a manner that supports and facilitates
19 fishing, hunting, and recreational shooting opportu-
20 nities;

21 (2) to the extent authorized under applicable
22 State law; and

23 (3) in accordance with applicable Federal law.

24 (d) PLANNING.—

1 (1) EVALUATION OF EFFECTS ON OPPORTUNI-
2 TIES TO ENGAGE IN FISHING, HUNTING, OR REC-
3 REATIONAL SHOOTING.—Planning documents that
4 apply to Federal lands, including land resources
5 management plans, resource management plans,
6 travel management plans, and general management
7 plans shall include a specific evaluation of the effects
8 of such plans on opportunities to engage in fishing,
9 hunting, or recreational shooting.

10 (2) STRATEGIC GROWTH POLICY FOR THE NA-
11 TIONAL WILDLIFE REFUGE SYSTEM.—Section
12 4(a)(3) of the National Wildlife Refuge System Ad-
13 ministration Act of 1966 (16 U.S.C. 668dd(a)(3)) is
14 amended—

15 (A) by redesignating subparagraphs (C)
16 and (D) as subparagraphs (D) and (E), respec-
17 tively; and

18 (B) by inserting after subparagraph (B),
19 the following:

20 “(C) the Secretary shall integrate wildlife-de-
21 pendent recreational uses in accordance with their
22 status as priority general public uses into proposed
23 or existing regulations, policies, criteria, plans, or
24 other activities to alter or amend the manner in
25 which individual refuges or the National Wildlife

1 Refuge System (System) are managed, including,
2 but not limited to, any activities which target or
3 prioritize criteria for long and short term System ac-
4 quisitions;”.

5 (3) NO MAJOR FEDERAL ACTION.—No action
6 taken under this title, or under section 4 of the Na-
7 tional Wildlife Refuge System Administration Act of
8 1966 (16 U.S.C. 668dd), either individually or cu-
9 mulatively with other actions involving Federal lands
10 or lands managed by the United States Fish and
11 Wildlife Service, shall be considered to be a major
12 Federal action significantly affecting the quality of
13 the human environment, and no additional identi-
14 fication, analysis, or consideration of environmental
15 effects, including cumulative effects, is necessary or
16 required.

17 (4) OTHER ACTIVITY NOT CONSIDERED.—Fed-
18 eral land management officials are not required to
19 consider the existence or availability of fishing, hunt-
20 ing, or recreational shooting opportunities on adja-
21 cent or nearby public or private lands in the plan-
22 ning for or determination of which Federal lands are
23 open for these activities or in the setting of levels of
24 use for these activities on Federal lands, unless the
25 combination or coordination of such opportunities

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

3 (e) FEDERAL LANDS.—

4 (1) LANDS OPEN.—Lands under the jurisdic-
5 tion of the Bureau of Land Management and the
6 Forest Service, including Wilderness Areas, Wilder-
7 ness Study Areas, lands designated as wilderness or
8 administratively classified as wilderness eligible or
9 suitable and primitive or semi-primitive areas and
10 National Monuments, but excluding lands on the
11 Outer Continental Shelf, shall be open to fishing,
12 hunting, and recreational shooting unless the man-
13 aging Federal agency acts to close lands to such ac-
14 tivity. Lands may be subject to closures or restric-
15 tions if determined by the head of the agency to be
16 necessary and reasonable and supported by facts
17 and evidence, for purposes including resource con-
18 servation, public safety, energy or mineral produc-
19 tion, energy generation or transmission infrastruc-
20 ture, water supply facilities, protection of other per-
21 mittees, protection of private property rights or in-
22 terest, national security, or compliance with other
23 law.

24 (2) RECREATIONAL SHOOTING RANGES.—

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

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

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

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

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

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

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

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

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

3 (g) NO PRIORITY.—Nothing in this section requires
4 a Federal land management official to give preference to
5 fishing, hunting, or recreational shooting over other uses
6 of Federal land or over land or water management prior-
7 ities established by Federal law.

8 (h) CONSULTATION WITH COUNCILS.—In fulfilling
9 the duties under this section, Federal land management
10 officials shall consult with respective advisory councils as
11 established in Executive Order Nos. 12962 and 13443.

12 (i) AUTHORITY OF THE STATES.—Nothing in this
13 section shall be construed as interfering with, diminishing,
14 or conflicting with the authority, jurisdiction, or responsi-
15 bility of any State to exercise primary management, con-
16 trol, or regulation of fish and wildlife under State law (in-
17 cluding regulations) on land or water within the State, in-
18 cluding on Federal land.

19 (j) FEDERAL LICENSES.—Nothing in this section
20 shall be construed to authorize a Federal land manage-
21 ment official to require a license, fee, or permit to fish,
22 hunt, or trap on land or water in a State, including on
23 Federal land in the States, except that this subsection
24 shall not affect the Migratory Bird Stamp requirement set

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

3 **SEC. 604. VOLUNTEER HUNTERS; REPORTS; CLOSURES AND**
4 **RESTRICTIONS.**

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

6 (1) PUBLIC LAND.—The term “public land”
7 means—

8 (A) units of the National Park System;

9 (B) National Forest System lands; and

10 (C) land and interests in land owned by
11 the United States and under the administrative
12 jurisdiction of—

13 (i) the Fish and Wildlife Service; or

14 (ii) the Bureau of Land Management.

15 (2) SECRETARY.—The term “Secretary”
16 means—

17 (A) the Secretary of the Interior and in-
18 cludes the Director of the National Park Serv-
19 ice, with regard to units of the National Park
20 System;

21 (B) the Secretary of the Interior and in-
22 cludes the Director of the Fish and Wildlife
23 Service, with regard to Fish and Wildlife Serv-
24 ice lands and waters;

1 (C) the Secretary of the Interior and in-
2 cludes the Director of the Bureau of Land
3 Management, with regard to Bureau of Land
4 Management lands and waters; and

5 (D) the Secretary of Agriculture and in-
6 cludes the Chief of the Forest Service, with re-
7 gard to National Forest System lands.

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

12 (b) VOLUNTEER HUNTERS.—When planning wildlife
13 management involving reducing the size of a wildlife popu-
14 lation on public land, the Secretary shall consider the use
15 of and may use volunteers from the hunting community
16 as agents to assist in carrying out wildlife management
17 on public land. The Secretary shall not reject the use of
18 volunteers from the hunting community as agents without
19 the concurrence of the appropriate State wildlife manage-
20 ment authorities.

21 (c) REPORT.—Beginning on the second October 1
22 after the date of the enactment of this Act and biennially
23 on October 1 thereafter, the Secretary shall submit to the
24 Committee on Natural Resources of the House of Rep-

1 representatives and the Committee on Energy and Natural
2 Resources of the Senate a report that describes—

3 (1) any public land administered by the Sec-
4 retary that was closed to fishing, hunting, and rec-
5 reational shooting at any time during the preceding
6 year; and

7 (2) the reason for the closure.

8 (d) CLOSURES OR SIGNIFICANT RESTRICTIONS.—

9 (1) IN GENERAL.—Other than closures estab-
10 lished or prescribed by land planning actions re-
11 ferred to in section 604(e) or emergency closures de-
12 scribed in paragraph (2), a permanent or temporary
13 withdrawal, change of classification, or change of
14 management status of public land that effectively
15 closes or significantly restricts any acreage of public
16 land to access or use for fishing, hunting, rec-
17 reational shooting, or activities related to fishing,
18 hunting, or recreational shooting, or a combination
19 of those activities, shall take effect only if, before the
20 date of withdrawal or change, the Secretary—

21 (A) publishes appropriate notice of the
22 withdrawal or change, respectively;

23 (B) demonstrates that coordination has oc-
24 curred with a State fish and wildlife agency;
25 and

1 (C) submits to the Committee on Natural
 2 Resources of the House of Representatives and
 3 the Committee on Energy and Natural Re-
 4 sources of the Senate written notice of the with-
 5 drawal or change, respectively.

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

15 **TITLE VII—FARMER AND** 16 **HUNTER PROTECTION ACT**

17 **SEC. 701. SHORT TITLE.**

18 This title may be cited as the “Hunter and Farmer
 19 Protection Act”.

20 **SEC. 702. BAITING OF MIGRATORY GAME BIRDS.**

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

24 “(b) PROHIBITION OF BAITING.—

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

1 “(A) BAITED AREA.—

2 “(i) IN GENERAL.—The term ‘baited
3 area’ means—

4 “(I) any area on which salt,
5 grain, or other feed has been placed,
6 exposed, deposited, distributed, or
7 scattered, if the salt, grain, or feed
8 could lure or attract migratory game
9 birds; and

10 “(II) in the case of waterfowl,
11 cranes (family Gruidae), and coots
12 (family Rallidae), a standing, unhar-
13 vested crop that has been manipulated
14 through activities such as mowing,
15 discing, or rolling, unless the activities
16 are normal agricultural practices.

17 “(ii) EXCLUSIONS.—An area shall not
18 be considered to be a ‘baited area’ if the
19 area—

20 “(I) has been treated with a nor-
21 mal agricultural practice;

22 “(II) has standing crops that
23 have not been manipulated; or

24 “(III) has standing crops that
25 have been or are flooded.

1 “(B) BAITING.—The term ‘baiting’ means
2 the direct or indirect placing, exposing, depos-
3 iting, distributing, or scattering of salt, grain,
4 or other feed that could lure or attract migra-
5 tory game birds to, on, or over any areas on
6 which a hunter is attempting to take migratory
7 game birds.

8 “(C) MIGRATORY GAME BIRD.—The term
9 ‘migratory game bird’ means migratory bird
10 species—

11 “(i) that are within the taxonomic
12 families of Anatidae, Columbidae, Gruidae,
13 Rallidae, and Scolopacidae; and

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

16 “(D) NORMAL AGRICULTURAL PRAC-
17 TICE.—

18 “(i) IN GENERAL.—The term ‘normal
19 agricultural practice’ means any practice in
20 1 annual growing season that—

21 “(I) is carried out in order to
22 produce a marketable crop, including
23 planting, harvest, postharvest, or soil
24 conservation practices; and

1 “(II) is recommended for the
2 successful harvest of a given crop by
3 the applicable State office of the Co-
4 operative Extension System of the De-
5 partment of Agriculture, in consulta-
6 tion with, and if requested, the con-
7 currence of, the head of the applicable
8 State department of fish and wildlife.

9 “(ii) INCLUSIONS.—

10 “(I) IN GENERAL.—Subject to
11 subclause (II), the term ‘normal agri-
12 cultural practice’ includes the destruc-
13 tion of a crop in accordance with
14 practices required by the Federal
15 Crop Insurance Corporation for agri-
16 cultural producers to obtain crop in-
17 surance under the Federal Crop In-
18 surance Act (7 U.S.C. 1501 et seq.)
19 on land on which a crop during the
20 current or immediately preceding crop
21 year was not harvestable due to a nat-
22 ural disaster (including any hurricane,
23 storm, tornado, flood, high water,
24 wind-driven water, tidal wave, tsu-
25 nami, earthquake, volcanic eruption,

1 landslide, mudslide, drought, fire,
2 snowstorm, or other catastrophe that
3 is declared a major disaster by the
4 President in accordance with section
5 401 of the Robert T. Stafford Dis-
6 aster Relief and Emergency Assist-
7 ance Act (42 U.S.C. 5170)).

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

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

22 “(2) PROHIBITION.—It shall be unlawful for
23 any person—

24 “(A) to take any migratory game bird by
25 baiting or on or over any baited area, if the

1 person knows or reasonably should know that
 2 the area is a baited area; or

3 “(B) to place or direct the placement of
 4 bait on or adjacent to an area for the purpose
 5 of causing, inducing, or allowing any person to
 6 take or attempt to take any migratory game
 7 bird by baiting or on or over the baited area.

8 “(3) REGULATIONS.—The Secretary of the In-
 9 terior may promulgate regulations to implement this
 10 subsection.

11 “(4) REPORTS.—Annually, the Secretary of Ag-
 12 riculture shall submit to the Secretary of the Inte-
 13 rior a report that describes any changes to normal
 14 agricultural practices across the range of crops
 15 grown by agricultural producers in each region of
 16 the United States in which the recommendations are
 17 provided to agricultural producers.”.

18 **TITLE VIII—TRANSPORTING**
 19 **BOWS ACROSS NATIONAL**
 20 **PARK SERVICE LANDS**

21 **SEC. 801. SHORT TITLE.**

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

1 **SEC. 802. BOWHUNTING OPPORTUNITY AND WILDLIFE**
 2 **STEWARDSHIP.**

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

6 **“§ 101513. Hunter access corridors**

7 “(a) DEFINITIONS.—In this section:

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

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

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

14 “(2) VALID HUNTING LICENSE.—The term
 15 ‘valid hunting license’ means a State-issued hunting
 16 license that authorizes an individual to hunt on pri-
 17 vate or public land adjacent to the System unit in
 18 which the individual is located while in possession of
 19 a bow or crossbow that is not ready for immediate
 20 use.

21 “(b) TRANSPORTATION AUTHORIZED.—

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

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

3 “(i) the individual is not otherwise
4 prohibited by law from possessing the bows
5 and crossbows;

6 “(ii) the bows or crossbows are not
7 ready for immediate use throughout the
8 period during which the bows or crossbows
9 are transported across the System unit;

10 “(iii) the possession of the bows and
11 crossbows is in compliance with the law of
12 the State in which the System unit is lo-
13 cated; and

14 “(iv)(I) the individual possesses a
15 valid hunting license;

16 “(II) the individual is traversing the
17 System unit en route to a hunting access
18 corridor established under subsection
19 (c)(1); or

20 “(III) the individual is traversing the
21 System unit in compliance with any other
22 applicable regulations or policies; or

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

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

5 “(c) ESTABLISHMENT OF HUNTER ACCESS COR-
6 RIDORS.—

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

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

15 “(B) open to hunting.

16 “(2) DETERMINATION BY DIRECTOR.—The de-
17 termination referred to in paragraph (1) is a deter-
18 mination that the hunter access corridor would pro-
19 vide wildlife management or visitor experience bene-
20 fits within the boundary of the System unit in which
21 the hunter access corridor is located.

22 “(3) HUNTING SEASON.—The hunter access
23 corridors shall be open for use during hunting sea-
24 sons.

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

9 “(5) IDENTIFICATION OF CORRIDORS.—The Di-
10 rector shall—

11 “(A) make information regarding hunter
12 access corridors available on the individual
13 website of the applicable System unit; and

14 “(B) provide information regarding any
15 processes established by the Director for trans-
16 porting legally taken game through individual
17 hunter access corridors.

18 “(6) REGISTRATION; TRANSPORTATION OF
19 GAME.—The Director may—

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

23 “(B) provide a process for online self-reg-
24 istration; and

1 “(C) allow nonmotorized conveyances to
 2 transport legally taken game through a hunter
 3 access corridor established under this sub-
 4 section, including game carts and sleds.

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

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

10 “(1) diminishes, enlarges, or modifies any Fed-
 11 eral or State authority with respect to recreational
 12 hunting, recreational shooting, or any other rec-
 13 reational activities within the boundaries of a Sys-
 14 tem unit; or

15 “(2) authorizes—

16 “(A) the establishment of new trails in
 17 System units; or

18 “(B) authorizes individuals to access areas
 19 in System units, on foot or otherwise, that are
 20 not open to such access.

21 “(e) NO MAJOR FEDERAL ACTION.—

22 “(1) IN GENERAL.—Any action taken under
 23 this section shall not be considered a major Federal
 24 action significantly affecting the quality of the

1 human environment under the National Environ-
 2 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

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

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

11 **TITLE IX—FEDERAL LAND**
 12 **TRANSACTION FACILITATION**
 13 **ACT REAUTHORIZATION**
 14 **(FLTFA)**

15 **SEC. 901. SHORT TITLE.**

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

18 **SEC. 902. FEDERAL LAND TRANSACTION FACILITATION**
 19 **ACT.**

20 The Federal Land Transaction Facilitation Act is
 21 amended—

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

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

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

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

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

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

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

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

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

1 “(1) USE OF FUNDS.—

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

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

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

14 “(I) Inholdings.

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

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

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

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

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

7 (A) by striking subparagraph (A);

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

25 (A) in paragraph (1)—

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

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

5 (B) in paragraph (2)—

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

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

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

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

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

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

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

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

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

4 **TITLE X—AFRICAN ELEPHANT**
5 **CONSERVATION AND LEGAL**
6 **IVORY POSSESSION ACT**

7 **SEC. 1001. SHORT TITLE.**

8 This title may be cited as the “African Elephant Con-
9 servation and Legal Ivory Possession Act”.

10 **SEC. 1002. REFERENCES.**

11 Except as otherwise specifically provided, whenever in
12 this title an amendment or repeal is expressed in terms
13 of an amendment to, or repeal of, a provision, the ref-
14 erence shall be considered to be made to a provision of
15 the African Elephant Conservation Act (16 U.S.C. 4201
16 et seq.).

17 **SEC. 1003. LIMITED EXEMPTION FOR CERTAIN AFRICAN**
18 **ELEPHANT IVORY.**

19 Section 2203 (16 U.S.C. 4223) is amended—

20 (1) by inserting “(a) IN GENERAL.—” before
21 the first sentence;

22 (2) by inserting “and subsection (b) of this sec-
23 tion” after “2202(e)”; and

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

1 “(b) EXEMPTION.—Nothing in this Act or subsection
2 (a) or (d) of section 9 of the Endangered Species Act of
3 1973 (16 U.S.C. 1538) shall be construed to prohibit im-
4 portation or exportation, or to require permission of the
5 Secretary for importation or exportation, of—

6 “(1) any raw ivory or worked ivory—

7 “(A) imported solely for purposes of be-
8 coming part of a museum’s permanent collec-
9 tion, return to a lending museum, or display in
10 a museum; or

11 “(B) exported solely for purposes of—

12 “(i) display in a foreign museum; or

13 “(ii) return to a foreign person who
14 lent such ivory to a museum in the United
15 States;

16 “(2) any raw ivory or worked ivory that was
17 lawfully importable into the United States on Feb-
18 ruary 24, 2014, regardless of when acquired; or

19 “(3) any worked ivory that was previously law-
20 fully possessed in the United States.”.

1 **SEC. 1004. PLACEMENT OF UNITED STATES FISH AND WILD-**
2 **LIFE SERVICE LAW ENFORCEMENT OFFICERS**
3 **IN EACH AFRICAN ELEPHANT RANGE COUN-**
4 **TRY.**

5 Part I (16 U.S.C. 4211 et seq.) is amended by adding
6 at the end the following:

7 **“SEC. 2105. PLACEMENT OF UNITED STATES FISH AND**
8 **WILDLIFE SERVICE LAW ENFORCEMENT OF-**
9 **FICERS IN EACH AFRICAN ELEPHANT RANGE**
10 **COUNTRY.**

11 “The Secretary, in coordination with the Secretary
12 of State, may station United States Fish and Wildlife
13 Service law enforcement officers in the primary United
14 States diplomatic or consular post in each African country
15 that has a significant population of African elephants, who
16 shall assist local wildlife rangers in the protection of Afri-
17 can elephants and facilitate the apprehension of individ-
18 uals who illegally kill, or assist the illegal killing of, Afri-
19 can elephants.”.

20 **SEC. 1005. CERTIFICATION FOR THE PURPOSES OF THE**
21 **FISHERMEN’S PROTECTIVE ACT OF 1967.**

22 Section 2202 (16 U.S.C. 4222) is amended by adding
23 at the end the following:

24 “(g) CERTIFICATION.—When the Secretary of the In-
25 terior finds that a country, directly or indirectly, is a sig-
26 nificant transit or destination point for illegal ivory trade,

1 the Secretary shall certify such fact to the President with
2 respect to the country for the purposes of section 8(a) of
3 the Fishermen’s Protective Act of 1967 (22 U.S.C.
4 1978(a)).”.

5 **SEC. 1006. TREATMENT OF ELEPHANT IVORY.**

6 Section 2203 (16 U.S.C. 4223) is further amended
7 by adding at the end the following:

8 “(c) TREATMENT OF ELEPHANT IVORY.—Nothing in
9 this Act or the Endangered Species Act of 1973 (16
10 U.S.C. 1538) shall be construed—

11 “(1) to prohibit, or to authorize prohibiting, the
12 possession, sale, delivery, receipt, shipment, or trans-
13 portation of African elephant ivory, or any product
14 containing African elephant ivory, that has been law-
15 fully imported or crafted in the United States; or

16 “(2) to authorize using any means of deter-
17 mining for purposes of this Act or the Endangered
18 Species Act of 1973 whether African elephant ivory
19 has been lawfully imported, including any presump-
20 tion or burden of proof applied in such determina-
21 tion, other than such means used by the Secretary
22 as of February 24, 2014.”.

23 **SEC. 1007. SPORT-HUNTED ELEPHANT TROPHIES.**

24 Section 2203 (16 U.S.C. 4223) is further amended
25 by adding at the end the following:

1 “(d) SPORT-HUNTED ELEPHANT TROPHIES.—Noth-
 2 ing in this Act or subsection (a) or (d) of section 9 of
 3 the Endangered Species Act of 1973 (16 U.S.C. 1538)
 4 shall be construed to prohibit any citizen or legal resident
 5 of the United States, or an agent of such an individual,
 6 from importing a sport-hunted African elephant trophy
 7 under section 2202(e) of this Act, if the country in which
 8 the elephant was taken had an elephant population on Ap-
 9 pendix II of CITES at the time the trophy elephant was
 10 taken.

11 “(e) RELATIONSHIP TO THE CONVENTION.—Nothing
 12 in this section shall be construed as modifying or repealing
 13 the Secretary’s duties to implement CITES and the ap-
 14 pendices thereto, or as modifying or repealing section 8A
 15 or 9(c) of the Endangered Species Act of 1973 (16 U.S.C.
 16 1537a and 1538(c)).”.

17 **SEC. 1008. AFRICAN ELEPHANT CONSERVATION ACT FINAN-**
 18 **CIAL ASSISTANCE PRIORITY AND REAUTHOR-**
 19 **IZATION.**

20 (a) FINANCIAL ASSISTANCE PRIORITY.—Section
 21 2101 (16 U.S.C. 4211) is amended by redesignating sub-
 22 sections (e) and (f) as subsections (f) and (g), respectively,
 23 and by inserting after subsection (d) the following:

24 “(e) PRIORITY.—In providing financial assistance
 25 under this section, the Secretary shall give priority to

1 projects designed to facilitate the acquisition of equipment
2 and training of wildlife officials in ivory producing coun-
3 tries to be used in anti-poaching efforts.”.

4 (b) REAUTHORIZATION.—Section 2306(a) (16 U.S.C.
5 4245(a)) is amended by striking “2007 through 2012”
6 and inserting “2016 through 2020”.

7 **SEC. 1009. GOVERNMENT ACCOUNTABILITY OFFICE STUDY.**

8 Not later than 90 days after the date of the enact-
9 ment of this Act, the Comptroller General of the United
10 States shall conduct a study examining the effects of a
11 ban of the trade in of fossilized ivory from mammoths and
12 mastodons on the illegal importation and trade of African
13 and Asian elephant ivory within the United States, with
14 the exception of importation or trade thereof related to
15 museum exhibitions or scientific research, and report to
16 Congress the findings of such study.

17 **TITLE XI—RESPECT FOR**
18 **TREATIES AND RIGHTS**

19 **SEC. 1101. RESPECT FOR TREATIES AND RIGHTS.**

20 Nothing in this Act or the amendments made by this
21 Act shall be construed to affect or modify any treaty or
22 other right of any federally recognized Indian tribe.

1 **TITLE XII—PERMITS FOR FILM**
 2 **CREWS OF FIVE PEOPLE OR**
 3 **LESS**

4 **SEC. 1201. ANNUAL PERMIT AND FEE FOR FILM CREWS OF**
 5 **5 PERSONS OR FEWER.**

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

10 (b) NATIONAL PARK SYSTEM LAND.—Section
 11 100905 of title 54, United States Code, is amended—

12 (1) in subsection (a)—

13 (A) in paragraph (1), by striking “The
 14 Secretary” and inserting “Except as provided
 15 in paragraph (3), the Secretary”; and

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

17 “(3) SPECIAL RULES FOR FILM CREWS OF 5
 18 PERSONS OR FEWER.—

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

24 “(B) REQUIRED PERMIT AND FEE.—For
 25 any film crew of 5 persons or fewer, the Sec-

1 retary shall require a permit and assess an an-
2 nual fee of \$200 for commercial filming activi-
3 ties or similar projects on Federal land and wa-
4 terways administered by the Secretary.

5 “(C) COMMERCIAL FILMING ACTIVITIES.—

6 A permit issued under subparagraph (B) shall
7 be valid for commercial filming activities or
8 similar projects that occur in areas designated
9 for public use during public hours on all Fed-
10 eral land and waterways administered by the
11 Secretary for a 1-year period beginning on the
12 date of issuance of the permit.

13 “(D) NO ADDITIONAL FEES.—For persons

14 holding a permit issued under this paragraph,
15 during the effective period of the permit, the
16 Secretary shall not assess any fees in addition
17 to the fee assessed under subparagraph (B).

18 “(E) USE OF CAMERAS.—The Secretary

19 shall not prohibit, as a mechanized apparatus
20 or under any other purposes, use of cameras or
21 related equipment used for the purpose of com-
22 mercial filming activities or similar projects in
23 accordance with this paragraph on Federal land
24 and waterways administered by the Secretary.

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

7 “(G) DENIAL OF ACCESS.—The head of
8 the applicable land management agency may
9 deny access to a film crew under this paragraph
10 if—

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

13 “(ii) there would be an unreasonable
14 disruption of the use and enjoyment of the
15 site by the public;

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

18 “(iv) the filming includes the use of
19 models or props that are not part of the
20 natural or cultural resources or adminis-
21 trative facilities of the Federal land.”; and

22 (2) in the first sentence of subsection (b), by
23 striking “collect any costs” and inserting “recover
24 any costs”.

1 (c) OTHER FEDERAL LAND.—Section 1 of Public
2 Law 106–206 (16 U.S.C. 460l–6d) is amended—

3 (1) in subsection (a)—

4 (A) in paragraph (1), by striking “The
5 Secretary” and inserting “Except as provided
6 in paragraph (3), the Secretary”; and

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

8 “(3) 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.”; and

12 (2) in the first sentence of subsection (b)—

13 (A) by striking “collect any costs” and in-
14 serting “recover any costs”; and

15 (B) by striking “similar project” and in-
16 serting “similar projects”.

17 **TITLE XIII—STATE APPROVAL** 18 **OF FISHING RESTRICTION**

19 **SEC. 1301. STATE OR TERRITORIAL APPROVAL OF RESTRIC-** 20 **TION OF RECREATIONAL OR COMMERCIAL** 21 **FISHING ACCESS TO CERTAIN STATE OR TER-** 22 **RITORIAL WATERS.**

23 (a) APPROVAL REQUIRED.—The Secretary of the In-
24 terior and the Secretary of Commerce shall not restrict
25 recreational or commercial fishing access to any State or

1 territorial marine waters or Great Lakes waters within the
2 jurisdiction of the National Park Service or the Office of
3 National Marine Sanctuaries, respectively, unless those re-
4 strictions are developed in coordination with, and ap-
5 proved by, the fish and wildlife management agency of the
6 State or territory that has fisheries management authority
7 over those waters.

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

10 **TITLE XIV—HUNTING AND REC-**
11 **REATIONAL FISHING WITHIN**
12 **CERTAIN NATIONAL FORESTS**

13 **SEC. 1401. DEFINITIONS.**

14 In this title:

15 (1) HUNTING.—The term “hunting” means use
16 of a firearm, bow, or other authorized means in the
17 lawful pursuit, shooting, capture, collection, trap-
18 ping, or killing of wildlife; attempt to pursue, shoot,
19 capture, collect, trap, or kill wildlife; or the training
20 and use of hunting dogs, including field trials.

21 (2) RECREATIONAL FISHING.—The term “rec-
22 reational fishing” means the lawful pursuit, capture,
23 collection, or killing of fish; or attempt to capture,
24 collect, or kill fish.

1 (3) FOREST PLAN.—The term “forest plan”
2 means a land and resource management plan pre-
3 pared by the Forest Service for a unit of the Na-
4 tional Forest System pursuant to section 6 of the
5 Forest and Rangeland Renewable Resources Plan-
6 ning Act of 1974 (16 U.S.C. 1604).

7 (4) NATIONAL FOREST SYSTEM.—The term
8 “National Forest System” has the meaning given
9 that term in section 11(a) of the Forest and Range-
10 land Renewable Resources Planning Act of 1974 (16
11 U.S.C. 1609(a))

12 **SEC. 1402. HUNTING AND RECREATIONAL FISHING WITHIN**
13 **THE NATIONAL FOREST SYSTEM.**

14 (a) PROHIBITION OF RESTRICTIONS.—The Secretary
15 of Agriculture or Chief of the Forest Service may not es-
16 tablish policies, directives, or regulations that restrict the
17 type, season, or method of hunting or recreational fishing
18 on lands within the National Forest System that are oth-
19 erwise open to those activities and are consistent with the
20 applicable forest plan.

21 (b) PRIOR RESTRICTIONS VOID.—Any restrictions
22 imposed by the Secretary of Agriculture or Chief of the
23 Forest Service regarding the type, season, or method of
24 hunting or recreational fishing on lands within the Na-
25 tional Forest System that are otherwise open to those ac-

1 tivities in force on the date of the enactment of this Act
2 shall be void and have no force or effect.

3 (c) APPLICABILITY.—This section shall apply only to
4 the Kisatchie National Forest in the State of Louisiana,
5 the De Soto National Forest in the State of Mississippi,
6 the Mark Twain National Forest in the State of Missouri,
7 and the Ozark National Forest, the St. Francis National
8 Forest and the Ouachita National Forest in the States
9 of Arkansas and Oklahoma.

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

16 **SEC. 1403. PUBLICATION OF CLOSURE OF ROADS IN FOR-**
17 **ESTS.**

18 The Chief of the Forest Service shall publish a notice
19 in the Federal Register for the closure of any public road
20 on Forest System lands, along with a justification for the
21 closure.

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

3 **SEC. 1501. SHORT TITLE.**

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

6 **SEC. 1502. DEFINITIONS.**

7 In this title:

8 (1) **MANAGEMENT PLAN.**—The term “manage-
9 ment plan” means the management plan published
10 under section 1503(a).

11 (2) **PARK.**—The term “Park” means the Grand
12 Canyon National Park.

13 (3) **SECRETARY.**—The term “Secretary” means
14 the Secretary of the Interior.

15 (4) **SKILLED PUBLIC VOLUNTEER.**—The term
16 “skilled public volunteer” means an individual who
17 possesses—

18 (A) a valid hunting license issued by the
19 State of Arizona; and

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

1 **SEC. 1503. BISON MANAGEMENT PLAN FOR GRAND CANYON**
2 **NATIONAL PARK.**

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

10 (b) REMOVAL OF ANIMAL.—Notwithstanding any
11 other provision of law, a skilled public volunteer may re-
12 move a full bison harvested from the Park.

13 (c) COORDINATION.—The Secretary shall coordinate
14 with the Arizona Game and Fish Commission regarding
15 the development and implementation of the management
16 plan.

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

22 (e) LIMITATION.—Nothing in this title applies to the
23 taking of wildlife in the Park for any purpose other than
24 the implementation of the management plan.

1 **TITLE XVI—OPEN BOOK ON**
2 **EQUAL ACCESS TO JUSTICE**

3 **SEC. 1601. SHORT TITLE.**

4 This title may be cited as the “Open Book on Equal
5 Access to Justice Act”.

6 **SEC. 1602. MODIFICATION OF EQUAL ACCESS TO JUSTICE**
7 **PROVISIONS.**

8 (a) AGENCY PROCEEDINGS.—Section 504 of title 5,
9 United States Code, is amended—

10 (1) in subsection (c)(1), by striking “, United
11 States Code”;

12 (2) by redesignating subsection (f) as sub-
13 section (i); and

14 (3) by striking subsection (e) and inserting the
15 following:

16 “(e)(1) The Chairman of the Administrative Con-
17 ference of the United States, after consultation with the
18 Chief Counsel for Advocacy of the Small Business Admin-
19 istration, shall report to the Congress, not later than
20 March 31 of each year through the 6th calendar year be-
21 ginning after the initial report under this subsection is
22 submitted, on the amount of fees and other expenses
23 awarded during the preceding fiscal year pursuant to this
24 section. The report shall describe the number, nature, and
25 amount of the awards, the claims involved in the con-

1 trovery, and any other relevant information that may aid
2 the Congress in evaluating the scope and impact of such
3 awards. The report shall be made available to the public
4 online.

5 “(2)(A) The report required by paragraph (1) shall
6 account for all payments of fees and other expenses
7 awarded under this section that are made pursuant to a
8 settlement agreement, regardless of whether the settle-
9 ment agreement is sealed or otherwise subject to non-
10 disclosure provisions.

11 “(B) The disclosure of fees and other expenses re-
12 quired under subparagraph (A) does not affect any other
13 information that is subject to nondisclosure provisions in
14 the settlement agreement.

15 “(f) The Chairman of the Administrative Conference
16 shall create and maintain, during the period beginning on
17 the date the initial report under subsection (e) is sub-
18 mitted and ending one year after the date on which the
19 final report under that subsection is submitted, online a
20 searchable database containing the following information
21 with respect to each award of fees and other expenses
22 under this section:

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

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

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

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

8 “(5) The amount of the award.

9 “(6) The basis for the finding that the position
10 of the agency concerned was not substantially justi-
11 fied.

12 “(g) The online searchable database described in sub-
13 section (f) may not reveal any information the disclosure
14 of which is prohibited by law or court order.

15 “(h) The head of each agency shall provide to the
16 Chairman of the Administrative Conference in a timely
17 manner all information requested by the Chairman to
18 comply with the requirements of subsections (e), (f), and
19 (g).”.

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

23 “(5)(A) The Chairman of the Administrative Con-
24 ference of the United States shall submit to the Congress,
25 not later than March 31 of each year through the 6th cal-

1 endar year beginning after the initial report under this
2 paragraph is submitted, a report on the amount of fees
3 and other expenses awarded during the preceding fiscal
4 year pursuant to this subsection. The report shall describe
5 the number, nature, and amount of the awards, the claims
6 involved in each controversy, and any other relevant infor-
7 mation that may aid the Congress in evaluating the scope
8 and impact of such awards. The report shall be made
9 available to the public online.

10 “(B)(i) The report required by subparagraph (A)
11 shall account for all payments of fees and other expenses
12 awarded under this subsection that are made pursuant to
13 a settlement agreement, regardless of whether the settle-
14 ment agreement is sealed or otherwise subject to non-
15 disclosure provisions.

16 “(ii) The disclosure of fees and other expenses re-
17 quired under clause (i) does not affect any other informa-
18 tion that is subject to nondisclosure provisions in the set-
19 tlement agreement.

20 “(C) The Chairman of the Administrative Conference
21 shall include and clearly identify in the annual report
22 under subparagraph (A), for each case in which an award
23 of fees and other expenses is included in the report—

24 “(i) any amounts paid from section 1304 of
25 title 31 for a judgment in the case;

1 “(ii) the amount of the award of fees and other
2 expenses; and

3 “(iii) the statute under which the plaintiff filed
4 suit.

5 “(6) The Chairman of the Administrative Conference
6 shall create and maintain, during the period beginning on
7 the date the initial report under paragraph (5) is sub-
8 mitted and ending one year after the date on which the
9 final report under that paragraph is submitted, online a
10 searchable database containing the following information
11 with respect to each award of fees and other expenses
12 under this subsection:

13 “(A) The case name and number.

14 “(B) The name of the agency involved in the
15 case.

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

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

20 “(E) The amount of the award.

21 “(F) The basis for the finding that the position
22 of the agency concerned was not substantially justi-
23 fied.

1 “(7) The online searchable database described in
2 paragraph (6) may not reveal any information the disclo-
3 sure of which is prohibited by law or court order.

4 “(8) The head of each agency (including the Attorney
5 General of the United States) shall provide to the Chair-
6 man of the Administrative Conference of the United
7 States in a timely manner all information requested by
8 the Chairman to comply with the requirements of para-
9 graphs (5), (6), and (7).”.

10 (c) CLERICAL AMENDMENTS.—Section 2412 of title
11 28, United States Code, is amended—

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

14 (2) in subsection (e)—

15 (A) by striking “of section 2412 of title
16 28, United States Code,” and inserting “of this
17 section”; and

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

20 (d) EFFECTIVE DATE.—

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

1 (2) INITIAL REPORTS.—The first reports re-
2 quired by section 504(e) of title 5, United States
3 Code, and section 2412(d)(5) of title 28, United
4 States Code, shall be submitted not later than
5 March 31 of the calendar year following the first
6 calendar year in which a fiscal year begins after the
7 date of the enactment of this Act.

8 (3) ONLINE DATABASES.—The online databases
9 required by section 504(f) of title 5, United States
10 Code, and section 2412(d)(6) of title 28, United
11 States Code, shall be established as soon as prac-
12 ticable after the date of the enactment of this Act,
13 but in no case later than the date on which the first
14 reports under section 504(e) of title 5, United States
15 Code, and section 2412(d)(5) of title 28, United
16 States Code, are required to be submitted under
17 paragraph (2) of this subsection.

18 **TITLE XVII—UTILITY TERRAIN**
19 **VEHICLES**

20 **SEC. 1701. UTILITY TERRAIN VEHICLES IN KISATCHIE NA-**
21 **TIONAL FOREST.**

22 (a) IN GENERAL.—The Forest Administrator shall
23 amend the applicable travel plan to allow utility terrain
24 vehicles access on all roads nominated by the Secretary
25 of Louisiana Wildlife and Fisheries in the Kisatchie Na-

1 tional Forest, except when such designation would pose
2 an unacceptable safety risk, in which case the Forest Ad-
3 ministrator shall publish a notice in the Federal Register
4 with a justification for the closure.

5 (b) UTILITY TERRAIN VEHICLES DEFINED.—For
6 purposes of this section, the term “utility terrain vehi-
7 cle”—

8 (1) means any recreational motor vehicle de-
9 signed for and capable of travel over designated
10 roads, traveling on four or more tires with a max-
11 imum tire width of 27 inches, a maximum wheel
12 cleat or lug of $\frac{3}{4}$ of an inch, a minimum width of
13 50 inches but not exceeding 74 inches, a minimum
14 weight of at least 700 pounds but not exceeding
15 2,000 pounds, and a minimum wheelbase of 61
16 inches but not exceeding 110 inches;

17 (2) includes vehicles not equipped with a certifi-
18 cation label as required by part 567.4 of title 49,
19 Code of Federal Regulations; and

20 (3) does not include golf carts, vehicles specially
21 designed to carry a disabled person, or vehicles oth-
22 erwise registered under section 32.299 of the Lou-
23 isiana State statutes.

1 **TITLE XVIII—GOOD SAMARITAN**
2 **SEARCH AND RECOVERY**

3 **SEC. 1801. SHORT TITLE.**

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

6 **SEC. 1802. EXPEDITED ACCESS TO CERTAIN FEDERAL**
7 **LAND.**

8 (a) DEFINITIONS.—In this section:

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

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

13 (B) composed entirely of members who, at
14 the time of the good Samaritan search-and-re-
15 covery mission, have attained the age of major-
16 ity under the law of the State where the mis-
17 sion takes place.

18 (2) GOOD SAMARITAN SEARCH-AND-RECOVERY
19 MISSION.—The term “good Samaritan search-and-
20 recovery mission” means a search conducted by an
21 eligible organization or individual for 1 or more
22 missing individuals believed to be deceased at the
23 time that the search is initiated.

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

4 (b) PROCESS.—

5 (1) IN GENERAL.—Each Secretary shall develop
6 and implement a process to expedite access to Fed-
7 eral land under the administrative jurisdiction of the
8 Secretary for eligible organizations and individuals
9 to request access to Federal land to conduct good
10 Samaritan search-and-recovery missions.

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

14 (A) an eligible organization or individual
15 granted access under this section—

16 (i) shall be acting for private pur-
17 poses; and

18 (ii) shall not be considered to be a
19 Federal volunteer;

20 (B) an eligible organization or individual
21 conducting a good Samaritan search-and-recov-
22 ery mission under this section shall not be con-
23 sidered to be a volunteer under section
24 102301(c) of title 54, United States Code;

1 (C) chapter 171 of title 28, United States
2 Code (commonly known as the “Federal Tort
3 Claims Act”), shall not apply to an eligible or-
4 ganization or individual carrying out a privately
5 requested good Samaritan search-and-recovery
6 mission under this section; and

7 (D) an eligible organization or entity who
8 conducts a good Samaritan search-and-recovery
9 mission under this section shall serve without
10 pay from the Federal Government for such
11 service.

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

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

20 (2) signs a waiver releasing the Federal Gov-
21 ernment from all liability relating to the access
22 granted under this section and agrees to indemnify
23 and hold harmless the United States from any
24 claims or lawsuits arising from any conduct by the
25 eligible organization or individual on Federal land.

1 (d) APPROVAL AND DENIAL OF REQUESTS.—

2 (1) IN GENERAL.—The Secretary shall notify
3 an eligible organization or individual of the approval
4 or denial of a request by the eligible organization or
5 individual to carry out a good Samaritan search-
6 and-recovery mission under this section by not later
7 than 48 hours after the request is made.

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

13 (A) the reason for the denial of the re-
14 quest; and

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

18 (e) PARTNERSHIPS.—Each Secretary shall develop
19 search-and-recovery-focused partnerships with search-and-
20 recovery organizations—

21 (1) to coordinate good Samaritan search-and-
22 recovery missions on Federal land under the admin-
23 istrative jurisdiction of the Secretary; and

24 (2) to expedite and accelerate good Samaritan
25 search-and-recovery mission efforts for missing indi-

viduals on Federal land under the administrative jurisdiction of the Secretary.

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

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

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

TITLE XIX—INTERSTATE TRANSPORTATION OF FIREARMS OR AMMUNITION

SEC. 1901. INTERSTATE TRANSPORTATION OF FIREARMS OR AMMUNITION.

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

“§ 926A. Interstate transportation of firearms or ammunition

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

1 “(1) A person who is not prohibited by this
2 chapter from possessing, transporting, shipping, or
3 receiving a firearm or ammunition shall be entitled
4 to transport a firearm for any lawful purpose from
5 any place where the person may lawfully possess,
6 carry, or transport the firearm to any other such
7 place if, during the transportation, the firearm is
8 unloaded, and—

9 “(A) if the transportation is by motor vehi-
10 cle, the firearm is not directly accessible from
11 the passenger compartment of the vehicle, and,
12 if the vehicle is without a compartment separate
13 from the passenger compartment, the firearm is
14 in a locked container other than the glove com-
15 partment or console, or is secured by a secure
16 gun storage or safety device; or

17 “(B) if the transportation is by other
18 means, the firearm is in a locked container or
19 secured by a secure gun storage or safety de-
20 vice.

21 “(2) A person who is not prohibited by this
22 chapter from possessing, transporting, shipping, or
23 receiving a firearm or ammunition shall be entitled
24 to transport ammunition for any lawful purpose
25 from any place where the person may lawfully pos-

1 sess, carry, or transport the ammunition, to any
2 other such place if, during the transportation, the
3 ammunition is not loaded into a firearm, and—

4 “(A) if the transportation is by motor vehi-
5 cle, the ammunition is not directly accessible
6 from the passenger compartment of the vehicle,
7 and, if the vehicle is without a compartment
8 separate from the passenger compartment, the
9 ammunition is in a locked container other than
10 the glove compartment or console; or

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

13 “(b) In subsection (a), the term ‘transport’ includes
14 staying in temporary lodging overnight, stopping for food,
15 fuel, vehicle maintenance, an emergency, medical treat-
16 ment, and any other activity incidental to the transport,
17 but does not include transportation—

18 “(1) with the intent to commit a crime punish-
19 able by imprisonment for a term exceeding one year
20 that involves the use or threatened use of force
21 against another; or

22 “(2) with knowledge, or reasonable cause to be-
23 lieve, that such a crime is to be committed in the
24 course of, or arising from, the transportation.

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

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

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

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

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

5 (b) CLERICAL AMENDMENT.—The table of sections
6 for such chapter is amended in the item relating to section
7 926A by striking “firearms” and inserting “firearms or
8 ammunition”.

9 **TITLE XX—GRAY WOLVES**

10 **SEC. 2001. REISSUANCE OF FINAL RULE REGARDING GRAY** 11 **WOLVES IN THE WESTERN GREAT LAKES.**

12 Before the end of the 60-day period beginning on the
13 date of enactment of this Act, the Secretary of the Interior
14 shall reissue the final rule published on December 28,
15 2011 (76 Fed. Reg. 81666), without regard to any other
16 provision of statute or regulation that applies to issuance
17 of such rule. Such reissuance shall not be subject to judi-
18 cial review.

19 **SEC. 2002. REISSUANCE OF FINAL RULE REGARDING GRAY** 20 **WOLVES IN WYOMING.**

21 Before the end of the 60-day period beginning on the
22 date of enactment of this Act, the Secretary of the Interior
23 shall reissue the final rule published on September 10,
24 2012 (77 Fed. Reg. 55530), without regard to any other
25 provision of statute or regulation that applies to issuance

1 of such rule. Such reissuance shall not be subject to judi-
2 cial review.

3 **TITLE XXI—MISCELLANEOUS** 4 **PROVISIONS**

5 **SEC. 2101. PROHIBITION ON ISSUANCE OF FINAL RULE.**

6 The Director of the United States Fish and Wildlife
7 Service shall not issue a final rule that—

8 (1) succeeds the proposed rule entitled “Non-
9 Subsistence Take of Wildlife, and Public Participa-
10 tion and Closure Procedures, on National Wildlife
11 Refuges in Alaska” (81 Fed. Reg. 887 (January 8,
12 2016)); or

13 (2) is substantially similar to that proposed
14 rule.

15 **SEC. 2102. WITHDRAWAL OF EXISTING RULE REGARDING** 16 **HUNTING AND TRAPPING IN ALASKA.**

17 The Director of the National Park Service shall with-
18 draw the final rule entitled “Alaska; Hunting and Trap-
19 ping in National Preserves” (80 Fed. Reg. 64325 (Octo-
20 ber 23, 2015)) by not later than 30 days after the date

- 1 of the enactment of this Act, and shall not issue a rule
- 2 that is substantially similar to that rule.

Passed the House of Representatives February 26,
2016.

Attest:

KAREN L. HAAS,
Clerk.