

115TH CONGRESS
1ST SESSION

H. R. 4489

To provide for the preservation of America’s outdoor heritage and enhance recreation opportunities on Federal land, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 30, 2017

Mr. THOMPSON of California (for himself and Mr. GRIJALVA) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committees on Science, Space, and Technology, the Judiciary, Agriculture, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide for the preservation of America’s outdoor heritage and enhance recreation opportunities on Federal land, and for other purposes.

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

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

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Authorizing Critical Conservation and Enabling Sports-
6 men and Sportswomen Act” or the “ACCESS Act”.

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

Sec. 1. Short title; table of contents.

TITLE I—NORTH AMERICAN WETLANDS CONSERVATION ACT
 REAUTHORIZATION

Sec. 101. North American Wetlands Conservation Act.

TITLE II—FEDERAL LAND TRANSACTION FACILITATION ACT
 REAUTHORIZATION

Sec. 201. Amendments to the Federal Land Transaction Facilitation Act.

TITLE III—LAND AND WATER CONSERVATION FUND
 REAUTHORIZATION

Sec. 301. Permanent reauthorization of Land and Water Conservation Fund.

TITLE IV—NATIONAL FISH AND WILDLIFE FOUNDATION
 ESTABLISHMENT ACT REAUTHORIZATION

Sec. 401. National Fish and Wildlife Foundation Establishment Act.

TITLE V—NEOTROPICAL MIGRATORY BIRD CONSERVATION ACT
 REAUTHORIZATION

Sec. 501. Reauthorization of Neotropical Migratory Bird Conservation Act.

TITLE VI—PARTNERS FOR FISH AND WILDLIFE PROGRAM
 REAUTHORIZATION

Sec. 601. Partners for Fish and Wildlife Program reauthorization.

TITLE VII—FISH AND WILDLIFE COORDINATION

Sec. 701. Purpose.

Sec. 702. Amendments to the Fish and Wildlife Coordination Act.

TITLE VIII—MULTINATIONAL SPECIES CONSERVATION FUNDS
 REAUTHORIZATION

Sec. 801. Reauthorization of multinational species conservation funds.

TITLE IX—PRIZE COMPETITIONS

Sec. 901. Definitions.

Sec. 902. Theodore Roosevelt Genius Prize for the prevention of wildlife poaching and trafficking.

Sec. 903. Theodore Roosevelt Genius Prize for the promotion of wildlife conservation.

Sec. 904. Theodore Roosevelt Genius Prize for the management of invasive species.

Sec. 905. Theodore Roosevelt Genius Prize for the protection of endangered species.

Sec. 906. Theodore Roosevelt Genius Prize for nonlethal management of human-wildlife conflicts.

Sec. 907. Administration of prize competitions.

TITLE X—FISH HABITAT CONSERVATION

Sec. 1001. National fish habitat conservation through partnerships.

TITLE XI—TARGET PRACTICE AND MARKSMANSHIP TRAINING SUPPORT

Sec. 1101. Short title.

Sec. 1102. Definition of public target range.

Sec. 1103. Amendments to Pittman-Robertson Wildlife Restoration Act.

Sec. 1104. Limits on liability.

Sec. 1105. Sense of Congress regarding cooperation.

TITLE XII—SPORTSMEN’S ACCESS TO FEDERAL LAND

Sec. 1201. Definitions.

Sec. 1202. Federal land open to hunting, fishing, and recreational shooting.

Sec. 1203. Closure of Federal land to hunting, fishing, and recreational shooting.

TITLE XIII—WILDLIFE AND HUNTING HERITAGE CONSERVATION COUNCIL ADVISORY COMMITTEE

Sec. 1301. Wildlife and Hunting Heritage Conservation Council Advisory Committee.

TITLE XIV—SHOOTING RANGES

Sec. 1401. Shooting ranges.

TITLE XV—IDENTIFYING ACCESS TO OPPORTUNITIES

Sec. 1501. Identifying opportunities for recreation, hunting, and fishing on Federal land.

TITLE XVI—FILM CREWS

Sec. 1601. Commercial filming.

TITLE XVII—BOWS IN PARKS

Sec. 1701. Bows in parks.

TITLE XVIII—WILDLIFE MANAGEMENT USING VOLUNTEER HUNTERS

Sec. 1801. Wildlife management in parks.

TITLE XIX—RESPECT FOR TREATIES AND RIGHTS

Sec. 1901. Respect for treaties and rights.

TITLE XX—NO PRIORITY OVER OTHER USES

Sec. 2001. No priority.

TITLE XXI—STATE AUTHORITY FOR FISH AND WILDLIFE

Sec. 2101. State authority for fish and wildlife.

1 **TITLE I—NORTH AMERICAN**
2 **WETLANDS CONSERVATION**
3 **ACT REAUTHORIZATION**

4 **SEC. 101. NORTH AMERICAN WETLANDS CONSERVATION**
5 **ACT.**

6 (a) REAL PROPERTY.—Section 6(a)(3) of the North
7 American Wetlands Conservation Act (16 U.S.C.
8 4405(a)(3)) is amended—

9 (1) by striking “(3) in lieu of” and inserting
10 the following:

11 “(3) PROVISION OF FUNDS OR CONVEYANCE OF
12 REAL PROPERTY INTEREST.—

13 “(A) IN GENERAL.—In lieu of”;

14 (2) in the second sentence, by striking “The
15 Secretary shall” and inserting the following:

16 “(B) DETERMINATION.—The Secretary
17 shall”; and

18 (3) by striking the third sentence and inserting
19 the following:

20 “(C) REAL PROPERTY.—Any real property
21 interest conveyed under this paragraph shall be
22 subject to terms and conditions that ensure
23 that—

24 “(i) the real property interest will be
25 administered for the long-term conserva-

tion and management of the wetland ecosystem and the fish and wildlife dependent on that ecosystem;

“(ii) the grantor of a real property interest has been provided with information relating to all available conservation options, including conservation options that involve the conveyance of a real property interest for a limited period of time; and

“(iii) the provision of the information described in clause (ii) has been documented.”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 7(c) of the North American Wetlands Conservation Act (16 U.S.C. 4406(c)) is amended—

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

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

(3) by adding at the end the following:

“(6) \$50,000,000 for each of fiscal years 2018 through 2022.”.

1 **TITLE II—FEDERAL LAND**
2 **TRANSACTION FACILITATION**
3 **ACT REAUTHORIZATION**

4 **SEC. 201. AMENDMENTS TO THE FEDERAL LAND TRANS-**
5 **ACTION FACILITATION ACT.**

6 The Federal Land Transaction Facilitation Act (43
7 U.S.C. 2301 et seq.) is amended—

8 (1) in section 203(2) (43 U.S.C. 2302(2)), in
9 the matter preceding subparagraph (A), by striking
10 “on the date of enactment of this Act was” and in-
11 serting “is”;

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

13 (A) in subsection (a), by striking “(as in
14 effect on the date of enactment of this Act)”;
15 and

16 (B) by striking subsection (d);

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

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

20 (A) in paragraph (1)—

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

23 (ii) by striking “or” at the end;

24 (B) in paragraph (2)—

1 (i) by inserting “Public Law 105–
2 263;” before “112 Stat.”; and

3 (ii) by striking the period at the end
4 and inserting a semicolon; and

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

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

9 “(4) the Lincoln County Conservation, Recre-
10 ation, and Development Act of 2004 (Public Law
11 108–424; 118 Stat. 2403);

12 “(5) subtitle F of title I of the Omnibus Public
13 Land Management Act of 2009 (Public Law 111–
14 11; 123 Stat. 1032);

15 “(6) subtitle O of title I of the Omnibus Public
16 Land Management Act of 2009 (Public Law 111–
17 11; 123 Stat. 1075);

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

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

1 **TITLE III—LAND AND WATER**
2 **CONSERVATION FUND REAU-**
3 **THORIZATION**

4 **SEC. 301. PERMANENT REAUTHORIZATION OF LAND AND**
5 **WATER CONSERVATION FUND.**

6 (a) IN GENERAL.—Section 200302 of title 54, United
7 States Code, is amended—

8 (1) in subsection (b), in the matter preceding
9 paragraph (1), by striking “During the period end-
10 ing September 30, 2015, there” and inserting
11 “There”; and

12 (2) in subsection (c)(1), by striking “through
13 September 30, 2015”.

14 (b) PUBLIC ACCESS.—Section 200306 of title 54,
15 United States Code, is amended by adding at the end the
16 following:

17 “(c) PUBLIC ACCESS.—Not less than 1.5 percent of
18 amounts made available for expenditure in any fiscal year
19 under section 200303, or \$10,000,000, whichever is great-
20 er, shall be used for projects that secure recreational pub-
21 lic access to existing Federal public land for hunting, fish-
22 ing, and other recreational purposes.”.

1 **TITLE IV—NATIONAL FISH AND**
2 **WILDLIFE FOUNDATION ES-**
3 **TABLISHMENT ACT REAU-**
4 **THORIZATION**

5 **SEC. 401. NATIONAL FISH AND WILDLIFE FOUNDATION ES-**
6 **TABLISHMENT ACT.**

7 (a) BOARD OF DIRECTORS OF FOUNDATION.—

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

11 (A) in subsection (b)—

12 (i) by striking paragraph (2) and in-
13 serting the following:

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

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

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

1 (ii) by striking paragraph (3) and in-
 2 serting the following:

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

6 (B) in subsection (g)(2)—

7 (i) in subparagraph (A), by striking
 8 “(A) Officers and employees may not be
 9 appointed until the Foundation has suffi-
 10 cient funds to pay them for their service.
 11 Officers” and inserting the following:

12 “(A) IN GENERAL.—Officers”; and

13 (ii) by striking subparagraph (B) and
 14 inserting the following:

15 “(B) EXECUTIVE DIRECTOR.—The Foun-
 16 dation shall have an Executive Director who
 17 shall be—

18 “(i) appointed by, and serve at the di-
 19 rection of, the Board as the chief executive
 20 officer of the Foundation; and

21 “(ii) knowledgeable and experienced in
 22 matters relating to fish and wildlife con-
 23 servation.”.

24 (2) CONFORMING AMENDMENT.—Section
 25 4(a)(1)(B) of the North American Wetlands Con-

1 servation Act (16 U.S.C. 4403(a)(1)(B)) is amended
2 by striking “Secretary of the Board” and inserting
3 “Executive Director of the Board”.

4 (b) RIGHTS AND OBLIGATIONS OF FOUNDATION.—
5 Section 4 of the National Fish and Wildlife Foundation
6 Establishment Act (16 U.S.C. 3703) is amended—

7 (1) in subsection (c)—

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

11 “(c) POWERS.—

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

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

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

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

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

3 (E) in subparagraph (J) (as redesignated
4 by subparagraph (B)), by striking “and” at the
5 end;

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

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

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

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

22 “(2) TREATMENT OF REAL PROPERTY.—

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

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

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

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

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

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

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

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

1 “(1) IN GENERAL.—There are authorized to be
2 appropriated to carry out this Act for each of fiscal
3 years 2018 through 2022—

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

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

8 “(C) \$5,000,000 to the Secretary of Com-
9 merce.”;
10 (2) in subsection (b)—

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

13 “(1) AMOUNTS FROM FEDERAL AGENCIES.—

14 “(A) IN GENERAL.—In addition to the
15 amounts authorized to be appropriated under
16 subsection (a), Federal departments, agencies,
17 or instrumentalities are authorized to provide
18 funds to the Foundation through Federal finan-
19 cial assistance grants and cooperative agree-
20 ments, subject to the condition that the
21 amounts are used for purposes that further the
22 conservation and management of fish, wildlife,
23 plants, and other natural resources in accord-
24 ance with this Act.

1 “(B) ADVANCES.—Federal departments,
2 agencies, or instrumentalities may advance
3 amounts described in subparagraph (A) to the
4 Foundation in a lump sum without regard to
5 when the expenses for which the amounts are
6 used are incurred.

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

11 (B) in paragraph (2)—

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

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

16 (iii) by striking “and State and local
17 government agencies” and inserting “,
18 State and local government agencies, and
19 other entities”; and

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

21 “(3) ADMINISTRATION OF AMOUNTS.—

22 “(A) IN GENERAL.—In entering into con-
23 tracts, agreements, or other partnerships pursu-
24 ant to this Act, a Federal department, agency,
25 or instrumentality shall have discretion to waive

1 any competitive process applicable to the de-
2 partment, agency, or instrumentality for enter-
3 ing into contracts, agreements, or partnerships
4 with the Foundation if the purpose of the waiv-
5 er is—

6 “(i) to address an environmental
7 emergency resulting from a natural or
8 other disaster; or

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

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

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

22 “(d) USE OF GIFTS, DEVISES, OR BEQUESTS OF
23 MONEY OR OTHER PROPERTY.—Any gifts, devises, or be-
24 quests of amounts or other property, or any other amounts
25 or other property, transferred to, deposited with, or other-

1 wise in the possession of the Foundation pursuant to this
 2 Act, may be made available by the Foundation to Federal
 3 departments, agencies, or instrumentalities and may be
 4 accepted and expended (or the disposition of the amounts
 5 or property directed), without further appropriation, by
 6 those Federal departments, agencies, or instrumentalities,
 7 subject to the condition that the amounts or property be
 8 used for purposes that further the conservation and man-
 9 agement of fish, wildlife, plants, and other natural re-
 10 sources.”.

11 (d) LIMITATION ON AUTHORITY.—Section 11 of the
 12 National Fish and Wildlife Foundation Establishment Act
 13 (16 U.S.C. 3710) is amended by inserting “exclusive” be-
 14 fore “authority”.

15 **TITLE V—NEOTROPICAL MIGRA-**
 16 **TORY BIRD CONSERVATION**
 17 **ACT REAUTHORIZATION**

18 **SEC. 501. REAUTHORIZATION OF NEOTROPICAL MIGRA-**
 19 **TORY BIRD CONSERVATION ACT.**

20 Section 10 of the Neotropical Migratory Bird Con-
 21 servation Act (16 U.S.C. 6109) is amended to read as fol-
 22 lows:

1 **“SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

2 “(a) IN GENERAL.—There is authorized to be appro-
3 priated to carry out this Act \$6,500,000 for each of fiscal
4 years 2018 through 2022.

5 “(b) USE OF FUNDS.—Of the amounts made avail-
6 able under subsection (a) for each fiscal year, not less than
7 75 percent shall be expended for projects carried out at
8 a location outside of the United States.”.

9 **TITLE VI—PARTNERS FOR FISH**
10 **AND WILDLIFE PROGRAM RE-**
11 **AUTHORIZATION**

12 **SEC. 601. PARTNERS FOR FISH AND WILDLIFE PROGRAM**
13 **REAUTHORIZATION.**

14 Section 5 of the Partners for Fish and Wildlife Act
15 (16 U.S.C. 3774) is amended by striking “\$75,000,000
16 for each of fiscal years 2006 through 2011” and inserting
17 “\$100,000,000 for each of fiscal years 2018 through
18 2022”.

19 **TITLE VII—FISH AND WILDLIFE**
20 **COORDINATION**

21 **SEC. 701. PURPOSE.**

22 The purpose of this title is to protect water, oceans,
23 coasts, and wildlife from invasive species.

1 **SEC. 702. AMENDMENTS TO THE FISH AND WILDLIFE CO-**
2 **ORDINATION ACT.**

3 (a) SHORT TITLE; AUTHORIZATION.—The first sec-
4 tion of the Fish and Wildlife Coordination Act (16 U.S.C.
5 661) is amended by striking “For the purpose” and insert-
6 ing the following:

7 **“SECTION 1. SHORT TITLE; AUTHORIZATION.**

8 “(a) SHORT TITLE.—This Act may be cited as the
9 ‘Fish and Wildlife Coordination Act’.

10 “(b) AUTHORIZATION.—For the purpose”.

11 (b) PROTECTION OF WATER, OCEANS, COASTS, AND
12 WILDLIFE FROM INVASIVE SPECIES.—The Fish and
13 Wildlife Coordination Act (16 U.S.C. 661 et seq.) is
14 amended by adding at the end the following:

15 **“SEC. 10. PROTECTION OF WATER, OCEANS, COASTS, AND**
16 **WILDLIFE FROM INVASIVE SPECIES.**

17 “(a) DEFINITIONS.—In this section:

18 “(1) CONTROL.—The term ‘control’, with re-
19 spect to an invasive species, means the eradication,
20 suppression, or reduction of the population of the
21 invasive species within the area in which the invasive
22 species is present.

23 “(2) ECOSYSTEM.—The term ‘ecosystem’
24 means the complex of a community of organisms
25 and the environment of the organisms.

1 “(3) ELIGIBLE STATE.—The term ‘eligible
2 State’ means any of—

3 “(A) a State;

4 “(B) the District of Columbia;

5 “(C) the Commonwealth of Puerto Rico;

6 “(D) Guam;

7 “(E) American Samoa;

8 “(F) the Commonwealth of the Northern
9 Mariana Islands; and

10 “(G) the United States Virgin Islands.

11 “(4) INVASIVE SPECIES.—

12 “(A) IN GENERAL.—The term ‘invasive
13 species’ means an alien species, the introduction
14 of which causes, or is likely to cause, economic
15 or environmental harm or harm to human
16 health.

17 “(B) ASSOCIATED DEFINITION.—For pur-
18 poses of subparagraph (A), the term ‘alien spe-
19 cies’, with respect to a particular ecosystem,
20 means any species (including the seeds, eggs,
21 spores, or other biological material of the spe-
22 cies that are capable of propagating the species)
23 that is not native to the affected ecosystem.

24 “(C) INCLUSION.—The terms ‘invasive
25 species’ and ‘alien species’ include any terres-

trial or aquatic species determined by the relevant tribal, regional, State, or local authority to meet the requirements of subparagraph (A) or (B), as applicable.

“(5) **MANAGE; MANAGEMENT.**—The terms ‘manage’ and ‘management’, with respect to an invasive species, mean the active implementation of any activity—

“(A) to reduce or stop the spread of the invasive species; and

“(B) to inhibit further infestations of the invasive species, the spread of the invasive species, or harm caused by the invasive species, including investigations regarding methods for early detection and rapid response, prevention, control, or management of the invasive species.

“(6) **PREVENT.**—The term ‘prevent’, with respect to an invasive species, means—

“(A) to hinder the introduction of the invasive species onto land or water; or

“(B) to impede the spread of the invasive species within land or water by inspecting, intercepting, or confiscating invasive species threats prior to the establishment of the

1 invasive species onto land or water of an eligible
2 State.

3 “(7) SECRETARY CONCERNED.—The term ‘Sec-
4 retary concerned’ means—

5 “(A) the Secretary of the Army, acting
6 through the Chief of Engineers, with respect to
7 Federal land administered by the Corps of En-
8 gineers;

9 “(B) the Secretary of the Interior, with re-
10 spect to Federal land administered by the Sec-
11 retary of the Interior through—

12 “(i) the United States Fish and Wild-
13 life Service;

14 “(ii) the Bureau of Indian Affairs;

15 “(iii) the Bureau of Land Manage-
16 ment;

17 “(iv) the Bureau of Reclamation; or

18 “(v) the National Park Service;

19 “(C) the Secretary of Agriculture, with re-
20 spect to Federal land administered by the Sec-
21 retary of Agriculture through the Forest Serv-
22 ice; and

23 “(D) the head or a representative of any
24 other Federal agency the duties of whom re-
25 quire planning relating to, and the treatment

1 of, invasive species for the purpose of protecting
2 water and wildlife on land and coasts and in
3 oceans and water.

4 “(8) SPECIES.—The term ‘species’ means a
5 group of organisms, all of which—

6 “(A) have a high degree of genetic simi-
7 larity;

8 “(B) are morphologically distinct;

9 “(C) generally—

10 “(i) interbreed at maturity only
11 among themselves; and

12 “(ii) produce fertile offspring; and

13 “(D) show persistent differences from
14 members of allied groups of organisms.

15 “(b) CONTROL AND MANAGEMENT.—Each Secretary
16 concerned shall plan and carry out activities on land di-
17 rectly managed by the Secretary concerned to protect
18 water and wildlife by controlling and managing invasive
19 species—

20 “(1) to inhibit or reduce the populations of
21 invasive species; and

22 “(2) to effectuate restoration or reclamation ef-
23 forts.

24 “(c) STRATEGIC PLAN.—

1 “(1) IN GENERAL.—Each Secretary concerned
2 shall develop a strategic plan for the implementation
3 of the invasive species program to achieve, to the
4 maximum extent practicable, a substantive annual
5 net reduction of invasive species populations or in-
6 fested acreage on land or water managed by the Sec-
7 retary concerned.

8 “(2) COORDINATION.—Each strategic plan
9 under paragraph (1) shall be developed—

10 “(A) in coordination with affected—

11 “(i) eligible States;

12 “(ii) political subdivisions of eligible
13 States; and

14 “(iii) federally recognized Indian
15 tribes; and

16 “(B) in accordance with the priorities es-
17 tablished by 1 or more Governors of the eligible
18 States in which an ecosystem affected by an
19 invasive species is located.

20 “(3) FACTORS FOR CONSIDERATION.—In devel-
21 oping a strategic plan under this subsection, the
22 Secretary concerned shall take into consideration the
23 economic and ecological costs of action or inaction,
24 as applicable.

1 “(d) COST-EFFECTIVE METHODS.—In selecting a
2 method to be used to control or manage an invasive species
3 as part of a specific control or management project con-
4 ducted as part of a strategic plan developed under sub-
5 section (c), the Secretary concerned shall prioritize the use
6 of methods that—

7 “(1) effectively control and manage invasive
8 species, as determined by the Secretary concerned,
9 based on sound scientific data;

10 “(2) minimize environmental impacts; and

11 “(3) control and manage invasive species in the
12 least costly manner.

13 “(e) COMPARATIVE ECONOMIC ASSESSMENT.—To
14 achieve compliance with subsection (d), the Secretary con-
15 cerned shall require a comparative economic assessment
16 of invasive species control and management methods to
17 be conducted.

18 “(f) EXPEDITED ACTION.—

19 “(1) IN GENERAL.—The Secretaries concerned
20 shall use all tools and flexibilities available (as of the
21 date of enactment of this section) to expedite the
22 projects and activities described in paragraph (2).

23 “(2) DESCRIPTION OF PROJECTS AND ACTIVI-
24 TIES.—A project or activity referred to in paragraph
25 (1) is a project or activity—

1 “(A) to protect water or wildlife from an
2 invasive species that, as determined by the Sec-
3 retary concerned is, or will be, carried out on
4 land or water that is—

5 “(i) directly managed by the Secretary
6 concerned; and

7 “(ii) located in an area that is—

8 “(I) at high risk for the introduc-
9 tion, establishment, or spread of
10 invasive species; and

11 “(II) determined by the Sec-
12 retary concerned to require immediate
13 action to address the risk identified in
14 subclause (I); and

15 “(B) carried out in accordance with appli-
16 cable agency procedures, including any applica-
17 ble—

18 “(i) land or resource management
19 plan; or

20 “(ii) land use plan.

21 “(g) ALLOCATION OF FUNDING.—Of the amount ap-
22 propriated or otherwise made available to each Secretary
23 concerned for a fiscal year for programs that address or
24 include protection of land or water from an invasive spe-
25 cies, the Secretary concerned shall use not less than 75

1 percent for on-the-ground control and management of
2 invasive species, which may include—

3 “(1) the purchase of necessary products, equip-
4 ment, or services to conduct that control and man-
5 agement;

6 “(2) the use of integrated pest management op-
7 tions, including options that use pesticides author-
8 ized for sale, distribution, or use under the Federal
9 Insecticide, Fungicide, and Rodenticide Act (7
10 U.S.C. 136 et seq.);

11 “(3) the use of biological control agents that
12 are proven to be effective to reduce invasive species
13 populations;

14 “(4) the use of revegetation or cultural restora-
15 tion methods designed to improve the diversity and
16 richness of ecosystems;

17 “(5) the use of monitoring and detection activi-
18 ties for invasive species, including equipment, detec-
19 tion dogs, and mechanical devices;

20 “(6) the use of appropriate methods to remove
21 invasive species from a vehicle or vessel capable of
22 conveyance; or

23 “(7) the use of other effective mechanical or
24 manual control methods.

1 “(h) INVESTIGATIONS, OUTREACH, AND PUBLIC
2 AWARENESS.—Of the amount appropriated or otherwise
3 made available to each Secretary concerned for a fiscal
4 year for programs that address or include protection of
5 land or water from an invasive species, the Secretary con-
6 cerned may use not more than 15 percent for investiga-
7 tions, development activities, and outreach and public
8 awareness efforts to address invasive species control and
9 management needs.

10 “(i) ADMINISTRATIVE COSTS.—Of the amount appro-
11 priated or otherwise made available to each Secretary con-
12 cerned for a fiscal year for programs that address or in-
13 clude protection of land or water from an invasive species,
14 not more than 10 percent may be used for administrative
15 costs incurred to carry out those programs, including costs
16 relating to oversight and management of the programs,
17 recordkeeping, and implementation of the strategic plan
18 developed under subsection (c).

19 “(j) REPORTING REQUIREMENTS.—Not later than 60
20 days after the end of the second fiscal year beginning after
21 the date of enactment of this section, each Secretary con-
22 cerned shall submit to Congress a report—

23 “(1) describing the use by the Secretary con-
24 cerned during the 2 preceding fiscal years of funds

1 for programs that address or include invasive species
2 management; and

3 “(2) specifying the percentage of funds ex-
4 pended for each of the purposes specified in sub-
5 sections (g), (h), and (i).

6 “(k) OTHER INVASIVE SPECIES CONTROL, PREVEN-
7 TION, AND MANAGEMENT AUTHORITIES.—Nothing in this
8 section precludes the Secretary concerned from pursuing
9 or supporting, pursuant to any other provision of law, any
10 activity regarding the control, prevention, or management
11 of an invasive species, including investigations to improve
12 the control, prevention, or management of the invasive
13 species.

14 “(l) USE OF PARTNERSHIPS.—Subject to the sub-
15 sections (m) and (n), the Secretary concerned may enter
16 into any contract or cooperative agreement with another
17 Federal agency, an eligible State, a political subdivision
18 of an eligible State, or a private individual or entity to
19 assist with the control and management of an invasive spe-
20 cies.

21 “(m) MEMORANDUM OF UNDERSTANDING.—

22 “(1) IN GENERAL.—As a condition of a con-
23 tract or cooperative agreement under subsection (l),
24 the Secretary concerned and the applicable Federal
25 agency, eligible State, political subdivision of an eli-

1 gible State, or private individual or entity shall enter
2 into a memorandum of understanding that de-
3 scribes—

4 “(A) the nature of the partnership between
5 the parties to the memorandum of under-
6 standing; and

7 “(B) the control and management activi-
8 ties to be conducted under the contract or coop-
9 erative agreement.

10 “(2) CONTENTS.—A memorandum of under-
11 standing under this subsection shall contain, at a
12 minimum, the following:

13 “(A) A prioritized listing of each invasive
14 species to be controlled or managed.

15 “(B) An assessment of the total acres of
16 land or area of water infested by the invasive
17 species.

18 “(C) An estimate of the expected total
19 acres of land or area of water infested by the
20 invasive species after control and management
21 of the invasive species is attempted.

22 “(D) A description of each specific, inte-
23 grated pest management option to be used, in-
24 cluding a comparative economic assessment to
25 determine the least-costly method.

1 “(E) Any map, boundary, or Global Posi-
2 tioning System coordinates needed to clearly
3 identify the area in which each control or man-
4 agement activity is proposed to be conducted.

5 “(F) A written assurance that each part-
6 ner will comply with section 15 of the Federal
7 Noxious Weed Act of 1974 (7 U.S.C. 2814).

8 “(3) COORDINATION.—If a partner to a con-
9 tract or cooperative agreement under subsection (l)
10 is an eligible State, political subdivision of an eligible
11 State, or private individual or entity, the memo-
12 randum of understanding under this subsection shall
13 include a description of—

14 “(A) the means by which each applicable
15 control or management effort will be coordi-
16 nated; and

17 “(B) the expected outcomes of managing
18 and controlling the invasive species.

19 “(4) PUBLIC OUTREACH AND AWARENESS EF-
20 FORTS.—If a contract or cooperative agreement
21 under subsection (l) involves any outreach or public
22 awareness effort, the memorandum of understanding
23 under this subsection shall include a list of goals and
24 objectives for each outreach or public awareness ef-
25 fort that have been determined to be efficient to in-

1 form national, regional, State, or local audiences re-
 2 garding invasive species control and management.

3 “(n) INVESTIGATIONS.—The purpose of any invasive
 4 species-related investigation carried out under a contract
 5 or cooperative agreement under subsection (l) shall be—

6 “(1) to develop solutions and specific rec-
 7 ommendations for control and management of
 8 invasive species; and

9 “(2) specifically to provide faster implementa-
 10 tion of control and management methods.

11 “(o) COORDINATION WITH AFFECTED LOCAL GOV-
 12 ERNMENTS.—Each project and activity carried out pursu-
 13 ant to this section shall be coordinated with affected local
 14 governments in a manner that is consistent with section
 15 202(c)(9) of the Federal Land Policy and Management
 16 Act of 1976 (43 U.S.C. 1712(c)(9)).”.

17 **TITLE VIII—MULTINATIONAL**
 18 **SPECIES CONSERVATION**
 19 **FUNDS REAUTHORIZATION**

20 **SEC. 801. REAUTHORIZATION OF MULTINATIONAL SPECIES**
 21 **CONSERVATION FUNDS.**

22 (a) REAUTHORIZATION OF THE AFRICAN ELEPHANT
 23 CONSERVATION ACT.—Section 2306(a) of the African
 24 Elephant Conservation Act (16 U.S.C. 4245(a)) is amend-

1 ed by striking “2007 through 2012” and inserting “2018
2 through 2022”.

3 (b) REAUTHORIZATION OF THE ASIAN ELEPHANT
4 CONSERVATION ACT OF 1997.—Section 8(a) of the Asian
5 Elephant Conservation Act of 1997 (16 U.S.C. 4266(a))
6 is amended by striking “2007 through 2012” and insert-
7 ing “2018 through 2022”.

8 (c) REAUTHORIZATION OF THE RHINOCEROS AND
9 TIGER CONSERVATION ACT OF 1994.—Section 10(a) of
10 the Rhinoceros and Tiger Conservation Act of 1994 (16
11 U.S.C. 5306(a)) is amended by striking “2007 through
12 2012” and inserting “2018 through 2022”.

13 (d) AMENDMENTS TO THE GREAT APE CONSERVA-
14 TION ACT OF 2000.—

15 (1) PANEL.—Section 4(i) of the Great Ape
16 Conservation Act of 2000 (16 U.S.C. 6303(i)) is
17 amended—

18 (A) by striking paragraph (1) and insert-
19 ing the following:

20 “(1) CONVENTION.—Not later than 1 year after
21 the date of the enactment of the Wildlife Innovation
22 and Longevity Driver Act, and every 5 years there-
23 after, the Secretary shall convene a panel of experts
24 on great apes to identify the greatest needs and pri-
25 orities for the conservation of great apes.”;

1 (B) by redesignating paragraph (2) as
2 paragraph (5); and

3 (C) by inserting after paragraph (1) the
4 following:

5 “(2) COMPOSITION.—The Secretary shall en-
6 sure that the panel referred to in paragraph (1) in-
7 cludes, to the maximum extent practicable, 1 or
8 more representatives—

9 “(A) from each country that comprises the
10 natural range of great apes; and

11 “(B) with expertise in great ape conserva-
12 tion.

13 “(3) CONSERVATION PLANS.—In identifying the
14 conservation needs and priorities under paragraph
15 (1), the panel referred to in that paragraph shall
16 consider any relevant great ape conservation plan or
17 strategy, including scientific research and findings
18 relating to—

19 “(A) the conservation needs and priorities
20 of great apes;

21 “(B) any regional or species-specific action
22 plan or strategy;

23 “(C) any applicable strategy developed or
24 initiated by the Secretary; and

1 “(D) any other applicable conservation
2 plan or strategy.

3 “(4) FUNDS.—Subject to the availability of ap-
4 propriations, the Secretary may use amounts avail-
5 able to the Secretary to pay for the costs of con-
6 vening and facilitating any meeting of the panel re-
7 ferred to in paragraph (1).”.

8 (2) MULTIYEAR GRANTS.—Section 4 of the
9 Great Ape Conservation Act of 2000 (16 U.S.C.
10 6303) is amended by adding at the end the fol-
11 lowing:

12 “(j) MULTIYEAR GRANTS.—

13 “(1) AUTHORIZATION.—The Secretary may
14 award to a person who is otherwise eligible for a
15 grant under this section a multiyear grant to carry
16 out a project that the person demonstrates is an ef-
17 fective, long-term conservation strategy for great
18 apes and the habitat of great apes.

19 “(2) EFFECT OF SUBSECTION.—Nothing in this
20 subsection precludes the Secretary from awarding a
21 grant on an annual basis.”.

22 (3) ADMINISTRATIVE EXPENSES.—Section
23 5(b)(2) of the Great Ape Conservation Act of 2000
24 (16 U.S.C. 6304(b)(2)) is amended by striking
25 “\$100,000” and inserting “\$150,000”.

1 (4) AUTHORIZATION OF APPROPRIATIONS.—
 2 Section 6 of the Great Ape Conservation Act of
 3 2000 (16 U.S.C. 6305) is amended by striking
 4 “2006 through 2010” and inserting “2018 through
 5 2022”.

6 (e) AMENDMENTS TO THE MARINE TURTLE CON-
 7 SERVATION ACT OF 2004.—

8 (1) PURPOSE.—Section 2(b) of the Marine Tur-
 9 tle Conservation Act of 2004 (16 U.S.C. 6601(b)) is
 10 amended by inserting “and territories of the United
 11 States” after “foreign countries”.

12 (2) DEFINITIONS.—Section 3 of the Marine
 13 Turtle Conservation Act of 2004 (16 U.S.C. 6602)
 14 is amended—

15 (A) in paragraph (2), in the matter pre-
 16 ceding subparagraph (A), by inserting “and ter-
 17 ritories of the United States” after “foreign
 18 countries”; and

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

20 “(7) TERRITORY OF THE UNITED STATES.—

21 The term ‘territory of the United States’ means—

22 “(A) the Commonwealth of Puerto Rico;

23 “(B) Guam;

24 “(C) American Samoa;

1 “(D) the Commonwealth of the Northern
2 Mariana Islands;

3 “(E) the United States Virgin Islands; and

4 “(F) any other territory or possession of
5 the United States.”.

6 (3) MARINE TURTLE CONSERVATION ASSIST-
7 ANCE.—Section 4 of the Marine Turtle Conservation
8 Act of 2004 (16 U.S.C. 6603) is amended—

9 (A) in subsection (b)(1)(A), by inserting
10 “or a territory of the United States” after “for-
11 eign country”; and

12 (B) in subsection (d), by striking “foreign
13 countries” and inserting “a foreign country or
14 a territory of the United States”.

15 (4) ADMINISTRATIVE EXPENSES.—Section
16 5(b)(2) of the Marine Turtle Conservation Act of
17 2004 (16 U.S.C. 6604(b)(2)) is amended by striking
18 “\$80,000” and inserting “\$150,000”.

19 (5) AUTHORIZATION OF APPROPRIATIONS.—
20 Section 7 of the Marine Turtle Conservation Act of
21 2004 (16 U.S.C. 6606) is amended by striking
22 “each of fiscal years 2005 through 2009” and in-
23 serting “each of fiscal years 2018 through 2022”.

1 **TITLE IX—PRIZE COMPETITIONS**

2 **SEC. 901. DEFINITIONS.**

3 In this title:

4 (1) NON-FEDERAL FUNDS.—The term “non-
5 Federal funds” means funds provided by—

6 (A) a State;

7 (B) a territory of the United States;

8 (C) 1 or more units of local or tribal gov-
9 ernment;

10 (D) a private for-profit entity;

11 (E) a nonprofit organization; or

12 (F) a private individual.

13 (2) SECRETARY.—The term “Secretary” means
14 the Secretary of the Interior, acting through the Di-
15 rector of the United States Fish and Wildlife Serv-
16 ice.

17 (3) WILDLIFE.—The term “wildlife” has the
18 meaning given the term in section 8 of the Fish and
19 Wildlife Coordination Act (16 U.S.C. 666b).

20 **SEC. 902. THEODORE ROOSEVELT GENIUS PRIZE FOR THE** 21 **PREVENTION OF WILDLIFE POACHING AND** 22 **TRAFFICKING.**

23 (a) DEFINITIONS.—In this section:

24 (1) BOARD.—The term “Board” means the
25 Prevention of Wildlife Poaching and Trafficking

1 Technology Advisory Board established by sub-
2 section (c)(1).

3 (2) PRIZE COMPETITION.—The term “prize
4 competition” means the Theodore Roosevelt Genius
5 Prize for the prevention of wildlife poaching and
6 trafficking established under subsection (b).

7 (b) AUTHORITY.—Not later than 180 days after the
8 date of enactment of this Act, the Secretary shall establish
9 under section 24 of the Stevenson-Wydler Technology In-
10 novation Act of 1980 (15 U.S.C. 3719) a prize competi-
11 tion, to be known as the “Theodore Roosevelt Genius
12 Prize” for the prevention of wildlife poaching and traf-
13 ficking—

14 (1) to encourage technological innovation with
15 the potential to advance the mission of the United
16 States Fish and Wildlife Service with respect to the
17 prevention of wildlife poaching and trafficking; and

18 (2) to award 1 or more prizes annually for a
19 technological advancement that prevents wildlife
20 poaching and trafficking.

21 (c) ADVISORY BOARD.—

22 (1) ESTABLISHMENT.—There is established an
23 advisory board, to be known as the “Prevention of
24 Wildlife Poaching and Trafficking Technology Advi-
25 sory Board”.

1 (2) COMPOSITION.—The Board shall be com-
2 posed of not fewer than 9 members appointed by the
3 Secretary, who shall provide expertise in—

- 4 (A) wildlife trafficking and trade;
5 (B) wildlife conservation and management;
6 (C) biology;
7 (D) technology development;
8 (E) engineering;
9 (F) economics;
10 (G) business development and manage-
11 ment; and

12 (H) any other discipline, as the Secretary
13 determines to be necessary to achieve the pur-
14 poses of this section.

15 (3) DUTIES.—Subject to paragraph (4), with
16 respect to the prize competition, the Board shall—

- 17 (A) select a topic;
18 (B) issue a problem statement; and
19 (C) advise the Secretary on any oppor-
20 tunity for technological innovation to prevent
21 wildlife poaching and trafficking.

22 (4) CONSULTATION.—In selecting a topic and
23 issuing a problem statement for the prize competi-
24 tion under subparagraphs (A) and (B) of paragraph

1 (3), respectively, the Board shall consult widely with
2 Federal and non-Federal stakeholders, including—

3 (A) 1 or more Federal agencies with juris-
4 diction over the prevention of wildlife poaching
5 and trafficking;

6 (B) 1 or more State agencies with jurisdic-
7 tion over the prevention of wildlife poaching
8 and trafficking;

9 (C) 1 or more State, regional, or local
10 wildlife organizations, the mission of which re-
11 lates to the prevention of wildlife poaching and
12 trafficking; and

13 (D) 1 or more wildlife conservation groups,
14 technology companies, research institutions, in-
15 stitutions of higher education, industry associa-
16 tions, or individual stakeholders with an inter-
17 est in the prevention of wildlife poaching and
18 trafficking.

19 (5) REQUIREMENTS.—The Board shall comply
20 with all requirements under section 907(a).

21 (d) AGREEMENT WITH THE NATIONAL FISH AND
22 WILDLIFE FOUNDATION.—

23 (1) IN GENERAL.—The Secretary shall offer to
24 enter into an agreement under which the National

1 Fish and Wildlife Foundation shall administer the
2 prize competition.

3 (2) REQUIREMENTS.—An agreement entered
4 into under paragraph (1) shall comply with all re-
5 quirements under section 907(b).

6 (e) JUDGES.—

7 (1) APPOINTMENT.—The Secretary shall ap-
8 point not fewer than 3 judges who shall, except as
9 provided in paragraph (2), select the 1 or more an-
10 nual winners of the prize competition.

11 (2) DETERMINATION BY THE SECRETARY.—
12 The judges appointed under paragraph (1) shall not
13 select any annual winner of the prize competition if
14 the Secretary makes a determination that, in any
15 fiscal year, none of the technological advancements
16 entered into the prize competition merits an award.

17 (f) REPORT TO CONGRESS.—Not later than 60 days
18 after the date on which a cash prize is awarded under this
19 section, the Secretary shall submit to the Committee on
20 Environment and Public Works of the Senate and the
21 Committee on Natural Resources of the House of Rep-
22 resentatives a report on the prize competition that in-
23 cludes—

(2) if the Secretary has entered into an agreement under subsection (d)(1), a statement by the National Fish and Wildlife Foundation that describes the activities carried out by the National Fish and Wildlife Foundation relating to the duties described in section 907(b); and

(3) a statement by 1 or more of the judges appointed under subsection (e) that explains the basis on which the winner of the cash prize was selected.

(g) TERMINATION OF AUTHORITY.—The Board and all authority provided under this section shall terminate on December 31, 2022.

16 SEC. 903. THEODORE ROOSEVELT GENIUS PRIZE FOR THE
17 PROMOTION OF WILDLIFE CONSERVATION.

18 (a) DEFINITIONS.—In this section:

(1) BOARD.—The term “Board” means the Promotion of Wildlife Conservation Technology Advisory Board established by subsection (c)(1).

(2) PRIZE COMPETITION.—The term “prize competition” means the Theodore Roosevelt Genius Prize for the promotion of wildlife conservation established under subsection (b).

1 (b) AUTHORITY.—Not later than 180 days after the
2 date of enactment of this Act, the Secretary shall establish
3 under section 24 of the Stevenson-Wydler Technology In-
4 novation Act of 1980 (15 U.S.C. 3719) a prize competi-
5 tion, to be known as the “Theodore Roosevelt Genius
6 Prize” for the promotion of wildlife conservation—

7 (1) to encourage technological innovation with
8 the potential to advance the mission of the United
9 States Fish and Wildlife Service with respect to the
10 promotion of wildlife conservation; and

11 (2) to award 1 or more prizes annually for a
12 technological advancement that promotes wildlife
13 conservation.

14 (c) ADVISORY BOARD.—

15 (1) ESTABLISHMENT.—There is established an
16 advisory board, to be known as the “Promotion of
17 Wildlife Conservation Technology Advisory Board”.

18 (2) COMPOSITION.—The Board shall be com-
19 posed of not fewer than 9 members appointed by the
20 Secretary, who shall provide expertise in—

21 (A) wildlife conservation and management;

22 (B) biology;

23 (C) technology development;

24 (D) engineering;

25 (E) economics;

1 (F) business development and manage-
2 ment; and

3 (G) any other discipline, as the Secretary
4 determines to be necessary to achieve the pur-
5 poses of this section.

6 (3) DUTIES.—Subject to paragraph (4), with
7 respect to the prize competition, the Board shall—

8 (A) select a topic;

9 (B) issue a problem statement; and

10 (C) advise the Secretary on any oppor-
11 tunity for technological innovation to promote
12 wildlife conservation.

13 (4) CONSULTATION.—In selecting a topic and
14 issuing a problem statement for the prize competi-
15 tion under subparagraphs (A) and (B) of paragraph
16 (3), respectively, the Board shall consult widely with
17 Federal and non-Federal stakeholders, including—

18 (A) 1 or more Federal agencies with juris-
19 diction over the promotion of wildlife conserva-
20 tion;

21 (B) 1 or more State agencies with jurisdic-
22 tion over the promotion of wildlife conservation;

23 (C) 1 or more State, regional, or local
24 wildlife organizations, the mission of which re-

1 lates to the promotion of wildlife conservation;
2 and

3 (D) 1 or more wildlife conservation groups,
4 technology companies, research institutions, in-
5 stitutions of higher education, industry associa-
6 tions, or individual stakeholders with an inter-
7 est in the promotion of wildlife conservation.

8 (5) REQUIREMENTS.—The Board shall comply
9 with all requirements under section 907(a).

10 (d) AGREEMENT WITH THE NATIONAL FISH AND
11 WILDLIFE FOUNDATION.—

12 (1) IN GENERAL.—The Secretary shall offer to
13 enter into an agreement under which the National
14 Fish and Wildlife Foundation shall administer the
15 prize competition.

16 (2) REQUIREMENTS.—An agreement entered
17 into under paragraph (1) shall comply with all re-
18 quirements under section 907(b).

19 (e) JUDGES.—

20 (1) APPOINTMENT.—The Secretary shall ap-
21 point not fewer than 3 judges who shall, except as
22 provided in paragraph (2), select the 1 or more an-
23 nual winners of the prize competition.

24 (2) DETERMINATION BY THE SECRETARY.—
25 The judges appointed under paragraph (1) shall not

1 select any annual winner of the prize competition if
2 the Secretary makes a determination that, in any
3 fiscal year, none of the technological advancements
4 entered into the prize competition merits an award.

5 (f) REPORT TO CONGRESS.—Not later than 60 days
6 after the date on which a cash prize is awarded under this
7 section, the Secretary shall submit to the Committee on
8 Environment and Public Works of the Senate and the
9 Committee on Natural Resources of the House of Rep-
10 resentatives a report on the prize competition that in-
11 cludes—

12 (1) a statement by the Board that describes the
13 activities carried out by the Board relating to the
14 duties described in subsection (c)(3);

15 (2) if the Secretary has entered into an agree-
16 ment under subsection (d)(1), a statement by the
17 National Fish and Wildlife Foundation that de-
18 scribes the activities carried out by the National
19 Fish and Wildlife Foundation relating to the duties
20 described in section 907(b); and

21 (3) a statement by 1 or more of the judges ap-
22 pointed under subsection (e) that explains the basis
23 on which the winner of the cash prize was selected.

1 (g) TERMINATION OF AUTHORITY.—The Board and
2 all authority provided under this section shall terminate
3 on December 31, 2022.

4 **SEC. 904. THEODORE ROOSEVELT GENIUS PRIZE FOR THE**
5 **MANAGEMENT OF INVASIVE SPECIES.**

6 (a) DEFINITIONS.—In this section:

7 (1) BOARD.—The term “Board” means the
8 Management of Invasive Species Technology Advi-
9 sory Board established by subsection (c)(1).

10 (2) PRIZE COMPETITION.—The term “prize
11 competition” means the Theodore Roosevelt Genius
12 Prize for the management of invasive species estab-
13 lished under subsection (b).

14 (b) AUTHORITY.—Not later than 180 days after the
15 date of enactment of this Act, the Secretary shall establish
16 under section 24 of the Stevenson-Wydler Technology In-
17 novation Act of 1980 (15 U.S.C. 3719) a prize competi-
18 tion, to be known as the “Theodore Roosevelt Genius
19 Prize” for the management of invasive species—

20 (1) to encourage technological innovation with
21 the potential to advance the mission of the United
22 States Fish and Wildlife Service with respect to the
23 management of invasive species; and

1 (2) to award 1 or more prizes annually for a
2 technological advancement that manages invasive
3 species.

4 (c) ADVISORY BOARD.—

5 (1) ESTABLISHMENT.—There is established an
6 advisory board, to be known as the “Management of
7 Invasive Species Technology Advisory Board”.

8 (2) COMPOSITION.—The Board shall be com-
9 posed of not fewer than 9 members appointed by the
10 Secretary, who shall provide expertise in—

11 (A) invasive species;

12 (B) biology;

13 (C) technology development;

14 (D) engineering;

15 (E) economics;

16 (F) business development and manage-
17 ment; and

18 (G) any other discipline, as the Secretary
19 determines to be necessary to achieve the pur-
20 poses of this section.

21 (3) DUTIES.—Subject to paragraph (4), with
22 respect to the prize competition, the Board shall—

23 (A) select a topic;

24 (B) issue a problem statement; and

1 (C) advise the Secretary on any oppor-
2 tunity for technological innovation to manage
3 invasive species.

4 (4) CONSULTATION.—In selecting a topic and
5 issuing a problem statement for the prize competi-
6 tion under subparagraphs (A) and (B) of paragraph
7 (3), respectively, the Board shall consult widely with
8 Federal and non-Federal stakeholders, including—

9 (A) 1 or more Federal agencies with juris-
10 diction over the management of invasive spe-
11 cies;

12 (B) 1 or more State agencies with jurisdic-
13 tion over the management of invasive species;

14 (C) 1 or more State, regional, or local
15 wildlife organizations, the mission of which re-
16 lates to the management of invasive species;
17 and

18 (D) 1 or more wildlife conservation groups,
19 technology companies, research institutions, in-
20 stitutions of higher education, industry associa-
21 tions, or individual stakeholders with an inter-
22 est in the management of invasive species.

23 (5) REQUIREMENTS.—The Board shall comply
24 with all requirements under section 907(a).

1 (d) AGREEMENT WITH THE NATIONAL FISH AND
2 WILDLIFE FOUNDATION.—

3 (1) IN GENERAL.—The Secretary shall offer to
4 enter into an agreement under which the National
5 Fish and Wildlife Foundation shall administer the
6 prize competition.

7 (2) REQUIREMENTS.—An agreement entered
8 into under paragraph (1) shall comply with all re-
9 quirements under section 907(b).

10 (e) JUDGES.—

11 (1) APPOINTMENT.—The Secretary shall ap-
12 point not fewer than 3 judges who shall, except as
13 provided in paragraph (2), select the 1 or more an-
14 nual winners of the prize competition.

15 (2) DETERMINATION BY THE SECRETARY.—
16 The judges appointed under paragraph (1) shall not
17 select any annual winner of the prize competition if
18 the Secretary makes a determination that, in any
19 fiscal year, none of the technological advancements
20 entered into the prize competition merits an award.

21 (f) REPORT TO CONGRESS.—Not later than 60 days
22 after the date on which a cash prize is awarded under this
23 section, the Secretary shall submit to the Committee on
24 Environment and Public Works of the Senate and the
25 Committee on Natural Resources of the House of Rep-

1 representatives a report on the prize competition that in-
 2 cludes—

3 (1) a statement by the Board that describes the
 4 activities carried out by the Board relating to the
 5 duties described in subsection (c)(3);

6 (2) if the Secretary has entered into an agree-
 7 ment under subsection (d)(1), a statement by the
 8 National Fish and Wildlife Foundation that de-
 9 scribes the activities carried out by the National
 10 Fish and Wildlife Foundation relating to the duties
 11 described in section 907(b); and

12 (3) a statement by 1 or more of the judges ap-
 13 pointed under subsection (e) that explains the basis
 14 on which the winner of the cash prize was selected.

15 (g) TERMINATION OF AUTHORITY.—The Board and
 16 all authority provided under this section shall terminate
 17 on December 31, 2022.

18 **SEC. 905. THEODORE ROOSEVELT GENIUS PRIZE FOR THE**
 19 **PROTECTION OF ENDANGERED SPECIES.**

20 (a) DEFINITIONS.—In this section:

21 (1) BOARD.—The term “Board” means the
 22 Protection of Endangered Species Technology Advi-
 23 sory Board established by subsection (c)(1).

24 (2) PRIZE COMPETITION.—The term “prize
 25 competition” means the Theodore Roosevelt Genius

1 Prize for the protection of endangered species estab-
2 lished under subsection (b).

3 (b) AUTHORITY.—Not later than 180 days after the
4 date of enactment of this Act, the Secretary shall establish
5 under section 24 of the Stevenson-Wydler Technology In-
6 novation Act of 1980 (15 U.S.C. 3719) a prize competi-
7 tion, to be known as the “Theodore Roosevelt Genius
8 Prize” for the protection of endangered species—

9 (1) to encourage technological innovation with
10 the potential to advance the mission of the United
11 States Fish and Wildlife Service with respect to the
12 protection of endangered species; and

13 (2) to award 1 or more prizes annually for a
14 technological advancement that protects endangered
15 species.

16 (c) ADVISORY BOARD.—

17 (1) ESTABLISHMENT.—There is established an
18 advisory board, to be known as the “Protection of
19 Endangered Species Technology Advisory Board”.

20 (2) COMPOSITION.—The Board shall be com-
21 posed of not fewer than 9 members appointed by the
22 Secretary, who shall provide expertise in—

23 (A) endangered species;

24 (B) biology;

25 (C) technology development;

1 (D) engineering;

2 (E) economics;

3 (F) business development and manage-
4 ment; and

5 (G) any other discipline, as the Secretary
6 determines to be necessary to achieve the pur-
7 poses of this section.

8 (3) DUTIES.—Subject to paragraph (4), with
9 respect to the prize competition, the Board shall—

10 (A) select a topic;

11 (B) issue a problem statement; and

12 (C) advise the Secretary on any oppor-
13 tunity for technological innovation to protect
14 endangered species.

15 (4) CONSULTATION.—In selecting a topic and
16 issuing a problem statement for the prize competi-
17 tion under subparagraphs (A) and (B) of paragraph
18 (3), respectively, the Board shall consult widely with
19 Federal and non-Federal stakeholders, including—

20 (A) 1 or more Federal agencies with juris-
21 diction over the protection of endangered spe-
22 cies;

23 (B) 1 or more State agencies with jurisdic-
24 tion over the protection of endangered species;

1 (C) 1 or more State, regional, or local
 2 wildlife organizations, the mission of which re-
 3 lates to the protection of endangered species;
 4 and

5 (D) 1 or more wildlife conservation groups,
 6 technology companies, research institutions, in-
 7 stitutions of higher education, industry associa-
 8 tions, or individual stakeholders with an inter-
 9 est in the protection of endangered species.

10 (5) REQUIREMENTS.—The Board shall comply
 11 with all requirements under section 907(a).

12 (d) AGREEMENT WITH THE NATIONAL FISH AND
 13 WILDLIFE FOUNDATION.—

14 (1) IN GENERAL.—The Secretary shall offer to
 15 enter into an agreement under which the National
 16 Fish and Wildlife Foundation shall administer the
 17 prize competition.

18 (2) REQUIREMENTS.—An agreement entered
 19 into under paragraph (1) shall comply with all re-
 20 quirements under section 907(b).

21 **SEC. 906. THEODORE ROOSEVELT GENIUS PRIZE FOR NON-**
 22 **LETHAL MANAGEMENT OF HUMAN-WILDLIFE**
 23 **CONFLICTS.**

24 (a) DEFINITIONS.—In this section:

1 (1) BOARD.—The term “Board” means the
2 Nonlethal Management of Human-Wildlife Conflicts
3 Technology Advisory Board established by sub-
4 section (c)(1).

5 (2) PRIZE COMPETITION.—The term “prize
6 competition” means the Theodore Roosevelt Genius
7 Prize for the nonlethal management of human-wild-
8 life conflicts established under subsection (b).

9 (b) AUTHORITY.—Not later than 180 days after the
10 date of enactment of this Act, the Secretary shall establish
11 under section 24 of the Stevenson-Wydler Technology In-
12 novation Act of 1980 (15 U.S.C. 3719) a prize competi-
13 tion, to be known as the “Theodore Roosevelt Genius
14 Prize” for the nonlethal management of human-wildlife
15 conflicts—

16 (1) to encourage technological innovation with
17 the potential to advance the mission of the United
18 States Fish and Wildlife Service with respect to the
19 nonlethal management of human-wildlife conflicts;
20 and

21 (2) to award 1 or more prizes annually for a
22 technological advancement that promotes the non-
23 lethal management of human-wildlife conflicts.

24 (c) ADVISORY BOARD.—

1 (1) ESTABLISHMENT.—There is established an
2 advisory board, to be known as the “Nonlethal Man-
3 agement of Human-Wildlife Conflicts Technology
4 Advisory Board”.

5 (2) COMPOSITION.—The Board shall be com-
6 posed of not fewer than 9 members appointed by the
7 Secretary, who shall provide expertise in—

8 (A) nonlethal wildlife management;

9 (B) social aspects of human-wildlife con-
10 flict management;

11 (C) biology;

12 (D) technology development;

13 (E) engineering;

14 (F) economics;

15 (G) business development and manage-
16 ment; and

17 (H) any other discipline, as the Secretary
18 determines to be necessary to achieve the pur-
19 poses of this section.

20 (3) DUTIES.—Subject to paragraph (4), with
21 respect to the prize competition, the Board shall—

22 (A) select a topic;

23 (B) issue a problem statement; and

24 (C) advise the Secretary on any oppor-
25 tunity for technological innovation to promote

1 the nonlethal management of human-wildlife
2 conflicts.

3 (4) CONSULTATION.—In selecting a topic and
4 issuing a problem statement for the prize competi-
5 tion under subparagraphs (A) and (B) of paragraph
6 (3), respectively, the Board shall consult widely with
7 Federal and non-Federal stakeholders, including—

8 (A) 1 or more Federal agencies with juris-
9 diction over the management of native wildlife
10 species at risk due to conflict with human ac-
11 tivities;

12 (B) 1 or more State agencies with jurisdic-
13 tion over the management of native wildlife spe-
14 cies at risk due to conflict with human activi-
15 ties;

16 (C) 1 or more State, regional, or local
17 wildlife organizations, the mission of which re-
18 lates to the management of native wildlife spe-
19 cies at risk due to conflict with human activi-
20 ties; and

21 (D) 1 or more wildlife conservation groups,
22 technology companies, research institutions, in-
23 stitutions of higher education, industry associa-
24 tions, or individual stakeholders with an inter-

1 est in the management of native wildlife species
2 at risk due to conflict with human activities.

3 (5) REQUIREMENTS.—The Board shall comply
4 with all requirements under section 907(a).

5 (d) AGREEMENT WITH THE NATIONAL FISH AND
6 WILDLIFE FOUNDATION.—

7 (1) IN GENERAL.—The Secretary shall offer to
8 enter into an agreement under which the National
9 Fish and Wildlife Foundation shall administer the
10 prize competition.

11 (2) REQUIREMENTS.—An agreement entered
12 into under paragraph (1) shall comply with all re-
13 quirements under section 907(b).

14 (e) JUDGES.—

15 (1) APPOINTMENT.—The Secretary shall ap-
16 point not fewer than 3 judges who shall, except as
17 provided in paragraph (2), select the 1 or more an-
18 nual winners of the prize competition.

19 (2) DETERMINATION BY THE SECRETARY.—
20 The judges appointed under paragraph (1) shall not
21 select any annual winner of the prize competition if
22 the Secretary makes a determination that, in any
23 fiscal year, none of the technological advancements
24 entered into the prize competition merits an award.

1 (f) REPORT TO CONGRESS.—Not later than 60 days
2 after the date on which a cash prize is awarded under this
3 section, the Secretary shall submit to the Committee on
4 Environment and Public Works of the Senate and the
5 Committee on Natural Resources of the House of Rep-
6 resentatives a report on the prize competition that in-
7 cludes—

8 (1) a statement by the Board that describes the
9 activities carried out by the Board relating to the
10 duties described in subsection (c)(3);

11 (2) if the Secretary has entered into an agree-
12 ment under subsection (d)(1), a statement by the
13 National Fish and Wildlife Foundation that de-
14 scribes the activities carried out by the National
15 Fish and Wildlife Foundation relating to the duties
16 described in section 907(b); and

17 (3) a statement by 1 or more of the judges ap-
18 pointed under subsection (e) that explains the basis
19 on which the winner of the cash prize was selected.

20 (g) TERMINATION OF AUTHORITY.—The Board and
21 all authority provided under this section shall terminate
22 on December 31, 2022.

23 **SEC. 907. ADMINISTRATION OF PRIZE COMPETITIONS.**

24 (a) ADDITIONAL REQUIREMENTS FOR ADVISORY
25 BOARDS.—An advisory board established under section

1 902(c)(1), 903(c)(1), 904(c)(1), 905(c)(1), or 906(c)(1)
2 (referred to in this section as a “Board”) shall comply
3 with the following requirements:

4 (1) TERM; VACANCIES.—

5 (A) TERM.—A member of the Board shall
6 serve for a term of 5 years.

7 (B) VACANCIES.—A vacancy on the
8 Board—

9 (i) shall not affect the powers of the
10 Board; and

11 (ii) shall be filled in the same manner
12 as the original appointment was made.

13 (2) INITIAL MEETING.—Not later than 30 days
14 after the date on which all members of the Board
15 have been appointed, the Board shall hold the initial
16 meeting of the Board.

17 (3) MEETINGS.—

18 (A) IN GENERAL.—The Board shall meet
19 at the call of the Chairperson.

20 (B) REMOTE PARTICIPATION.—

21 (i) IN GENERAL.—Any member of the
22 Board may participate in a meeting of the
23 Board through the use of—

24 (I) teleconferencing; or

1 (II) any other remote business
2 telecommunications method that al-
3 lows each participating member to si-
4 multaneously hear each other partici-
5 pating member during the meeting.

6 (ii) PRESENCE.—A member of the
7 Board who participates in a meeting re-
8 motely under clause (i) shall be considered
9 to be present at the meeting.

10 (4) QUORUM.—A majority of the members of
11 the Board shall constitute a quorum, but a lesser
12 number of members may hold a meeting.

13 (5) CHAIRPERSON AND VICE CHAIRPERSON.—
14 The Board shall select a Chairperson and Vice
15 Chairperson from among the members of the Board.

16 (6) ADMINISTRATIVE COST REDUCTION.—The
17 Board shall, to the maximum extent practicable,
18 minimize the administrative costs of the Board, in-
19 cluding by encouraging the remote participation de-
20 scribed in paragraph (3)(B)(i) to reduce travel costs.

21 (b) AGREEMENTS WITH THE NATIONAL FISH AND
22 WILDLIFE FOUNDATION.—Any agreement entered into
23 under section 902(d)(1), 903(d)(1), 904(d)(1), 905(d)(1),
24 or 906(c)(1) shall comply with the following requirements:

1 (1) CONTENTS.—An agreement shall provide
2 the following:

3 (A) DUTIES.—The National Fish and
4 Wildlife Foundation shall—

5 (i) advertise the prize competition;

6 (ii) solicit prize competition partici-
7 pants;

8 (iii) administer funds relating to the
9 prize competition;

10 (iv) receive Federal funds—

11 (I) to administer the prize com-
12 petition; and

13 (II) to award a cash prize;

14 (v) carry out activities to generate
15 contributions of non-Federal funds to off-
16 set, in whole or in part—

17 (I) the administrative costs of the
18 prize competition; and

19 (II) the costs of a cash prize;

20 (vi) in consultation with, and subject
21 to final approval by, the Secretary, develop
22 criteria for the selection of prize competi-
23 tion winners;

24 (vii) provide advice and consultation
25 to the Secretary on the selection of judges

1 under sections 902(e), 903(e), 904(e),
2 905(e), 906(e) based on criteria developed
3 in consultation with, and subject to the
4 final approval of, the Secretary;

5 (viii) announce 1 or more annual win-
6 ners of the prize competition;

7 (ix) subject to subparagraph (B),
8 award 1 cash prize annually; and

9 (x) protect against unauthorized use
10 or disclosure by the National Fish and
11 Wildlife Foundation of any trade secret or
12 confidential business information of a prize
13 competition participant.

14 (B) ADDITIONAL CASH PRIZES.—The Na-
15 tional Fish and Wildlife Foundation may award
16 more than 1 cash prize annually if the initial
17 cash prize referred to in subparagraph (A)(ix)
18 and any additional cash prize are awarded
19 using only non-Federal funds.

20 (C) SOLICITATION OF FUNDS.—The Na-
21 tional Fish and Wildlife Foundation—

22 (i) may request and accept Federal
23 funds and non-Federal funds for a cash
24 prize;

1 (ii) may accept a contribution for a
2 cash prize in exchange for the right to
3 name the prize; and

4 (iii) shall not give special consider-
5 ation to any Federal agency or non-Fed-
6 eral entity in exchange for a donation for
7 a cash prize awarded under this section.

8 (c) AWARD AMOUNTS.—

9 (1) IN GENERAL.—The amount of the initial
10 cash prize referred to in subsection (b)(1)(A)(ix)
11 shall be \$100,000.

12 (2) ADDITIONAL CASH PRIZES.—On notification
13 by the National Fish and Wildlife Foundation that
14 non-Federal funds are available for an additional
15 cash prize, the Secretary shall determine the amount
16 of the additional cash prize.

17 (d) JUDGES.—

18 (1) APPOINTMENT.—The Secretary shall ap-
19 point not fewer than 3 judges who shall, except as
20 provided in paragraph (2), select the 1 or more an-
21 nual winners of the prize competition.

22 (2) DETERMINATION BY THE SECRETARY.—
23 The judges appointed under paragraph (1) shall not
24 select any annual winner of the prize competition if
25 the Secretary makes a determination that, in any

1 fiscal year, none of the technological advancements
2 entered into the prize competition merits an award.

3 (e) REPORT TO CONGRESS.—Not later than 60 days
4 after the date on which a cash prize is awarded under this
5 section, the Secretary shall submit to the Committee on
6 Environment and Public Works of the Senate and the
7 Committee on Natural Resources of the House of Rep-
8 resentatives a report on the prize competition that in-
9 cludes—

10 (1) a statement by the Board that describes the
11 activities carried out by the Board relating to the
12 duties described in subsection (c)(3);

13 (2) if the Secretary has entered into an agree-
14 ment under subsection (d)(1), a statement by the
15 National Fish and Wildlife Foundation that de-
16 scribes the activities carried out by the National
17 Fish and Wildlife Foundation relating to the duties
18 described in section 907(b); and

19 (3) a statement by 1 or more of the judges ap-
20 pointed under subsection (e) that explains the basis
21 on which the winner of the cash prize was selected.

22 (f) TERMINATION OF AUTHORITY.—The Board and
23 all authority provided under this section shall terminate
24 on December 31, 2022.

**TITLE X—FISH HABITAT
CONSERVATION**

**SEC. 1001. NATIONAL FISH HABITAT CONSERVATION
THROUGH PARTNERSHIPS.**

(a) PURPOSE.—The purpose of this section is to encourage partnerships among public agencies and other interested parties to promote fish conservation—

(1) to achieve measurable habitat conservation results through strategic actions of Fish Habitat Partnerships that lead to better fish habitat conditions and increased fishing opportunities by—

(A) improving ecological conditions;

(B) restoring natural processes; or

(C) preventing the decline of intact and healthy systems;

(2) to establish a consensus set of national conservation strategies as a framework to guide future actions and investment by Fish Habitat Partnerships;

(3) to broaden the community of support for fish habitat conservation by—

(A) increasing fishing opportunities;

(B) fostering the participation of local communities, especially young people in local communities, in conservation activities; and

1 (C) raising public awareness of the role
2 healthy fish habitat play in the quality of life
3 and economic well-being of local communities;

4 (4) to fill gaps in the National Fish Habitat As-
5 sessment and the associated database of the Na-
6 tional Fish Habitat Assessment—

7 (A) to empower strategic conservation ac-
8 tions supported by broadly available scientific
9 information; and

10 (B) to integrate socioeconomic data in the
11 analysis to improve the lives of humans in a
12 manner consistent with fish habitat conserva-
13 tion goals; and

14 (5) to communicate to the public and conserva-
15 tion partners—

16 (A) the conservation outcomes produced
17 collectively by Fish Habitat Partnerships; and

18 (B) new opportunities and voluntary ap-
19 proaches for conserving fish habitat.

20 (b) DEFINITIONS.—In this section:

21 (1) APPROPRIATE CONGRESSIONAL COMMIT-
22 TEES.—The term “appropriate congressional com-
23 mittees” means—

1 (A) the Committee on Commerce, Science,
2 and Transportation and the Committee on En-
3 vironment and Public Works of the Senate; and

4 (B) the Committee on Natural Resources
5 of the House of Representatives.

6 (2) BOARD.—The term “Board” means the Na-
7 tional Fish Habitat Board established by subsection
8 (c)(1)(A).

9 (3) DIRECTOR.—The term “Director” means
10 the Director of the United States Fish and Wildlife
11 Service.

12 (4) EPA ASSISTANT ADMINISTRATOR.—The
13 term “EPA Assistant Administrator” means the As-
14 sistant Administrator for Water of the Environ-
15 mental Protection Agency.

16 (5) INDIAN TRIBE.—The term “Indian tribe”
17 has the meaning given the term in section 4 of the
18 Indian Self-Determination and Education Assistance
19 Act (25 U.S.C. 5304).

20 (6) NOAA ASSISTANT ADMINISTRATOR.—The
21 term “NOAA Assistant Administrator” means the
22 Assistant Administrator for Fisheries of the Na-
23 tional Oceanic and Atmospheric Administration.

24 (7) PARTNERSHIP.—The term “Partnership”
25 means a self-governed entity designated by Congress

1 as a Fish Habitat Partnership under subsection
2 (d)(6) after a recommendation by the Board under
3 subsection (d)(1).

4 (8) REAL PROPERTY INTEREST.—The term
5 “real property interest” means an ownership interest
6 in—

7 (A) land; or

8 (B) water (including water rights).

9 (9) SECRETARY.—The term “Secretary” means
10 the Secretary of the Interior.

11 (10) STATE.—The term “State” means each of
12 the several States.

13 (11) STATE AGENCY.—The term “State agen-
14 cy” means—

15 (A) the fish and wildlife agency of a State;

16 and

17 (B) any department or division of a de-
18 partment or agency of a State that manages in
19 the public trust the inland or marine fishery re-
20 sources or sustains the habitat for those fishery
21 resources of the State pursuant to State law or
22 the constitution of the State.

23 (c) NATIONAL FISH HABITAT BOARD.—

24 (1) ESTABLISHMENT.—

1 (A) FISH HABITAT BOARD.—There is es-
2 tablished a board, to be known as the “National
3 Fish Habitat Board”, whose duties are—

4 (i) to promote, oversee, and coordinate
5 the implementation of this section;

6 (ii) to establish national goals and pri-
7 orities for fish habitat conservation;

8 (iii) to recommend to Congress enti-
9 ties for designation as Partnerships; and

10 (iv) to review and make recommenda-
11 tions regarding fish habitat conservation
12 projects.

13 (B) MEMBERSHIP.—The Board shall be
14 composed of 25 members, of whom—

15 (i) 1 shall be a representative of the
16 Department of the Interior;

17 (ii) 1 shall be a representative of the
18 United States Geological Survey;

19 (iii) 1 shall be a representative of the
20 Department of Commerce;

21 (iv) 1 shall be a representative of the
22 Department of Agriculture;

23 (v) 1 shall be a representative of the
24 Association of Fish and Wildlife Agencies;

1 (vi) 4 shall be representatives of State
2 agencies, 1 of whom shall be nominated by
3 a regional association of fish and wildlife
4 agencies from each of the Northeast,
5 Southeast, Midwest, and Western regions
6 of the United States;

7 (vii) 1 shall be a representative of ei-
8 ther—

9 (I) Indian tribes in the State of
10 Alaska; or

11 (II) Indian tribes in States other
12 than the State of Alaska;

13 (viii) 1 shall be a representative of ei-
14 ther—

15 (I) the Regional Fishery Manage-
16 ment Councils established under sec-
17 tion 302 of the Magnuson-Stevens
18 Fishery Conservation and Manage-
19 ment Act (16 U.S.C. 1852); or

20 (II) a representative of the Ma-
21 rine Fisheries Commissions, which is
22 composed of—

23 (aa) the Atlantic States Ma-
24 rine Fisheries Commission;

1 (bb) the Gulf States Marine
2 Fisheries Commission; and

3 (cc) the Pacific States Ma-
4 rine Fisheries Commission;

5 (ix) 1 shall be a representative of the
6 Sportfishing and Boating Partnership
7 Council;

8 (x) 7 shall be representatives selected
9 from each of—

10 (I) the recreational sportfishing
11 industry;

12 (II) the commercial fishing in-
13 dustry;

14 (III) marine recreational anglers;

15 (IV) freshwater recreational an-
16 glers;

17 (V) habitat conservation organi-
18 zations; and

19 (VI) science-based fishery organi-
20 zations;

21 (xi) 1 shall be a representative of a
22 national private landowner organization;

23 (xii) 1 shall be a representative of an
24 agricultural production organization;

1 (xiii) 1 shall be a representative of
2 local government interests involved in fish
3 habitat restoration;

4 (xiv) 2 shall be representatives from
5 different sectors of corporate industries,
6 which may include—

7 (I) natural resource commodity
8 interests, such as petroleum or min-
9 eral extraction;

10 (II) natural resource user indus-
11 tries; and

12 (III) industries with an interest
13 in fish and fish habitat conservation;
14 and

15 (xv) 1 shall be a leadership private
16 sector or landowner representative of an
17 active partnership.

18 (C) COMPENSATION.—A member of the
19 Board shall serve without compensation.

20 (D) TRAVEL EXPENSES.—A member of the
21 Board may be allowed travel expenses, includ-
22 ing per diem in lieu of subsistence, at rates au-
23 thorized for an employee of an agency under
24 subchapter I of chapter 57 of title 5, United
25 States Code, while away from the home or reg-

1 ular place of business of the member in the per-
2 formance of the duties of the Board.

3 (2) APPOINTMENT AND TERMS.—

4 (A) IN GENERAL.—Except as otherwise
5 provided in this subsection, a member of the
6 Board described in any of clauses (vi) through
7 (xiv) of paragraph (1)(B) shall serve for a term
8 of 3 years.

9 (B) INITIAL BOARD MEMBERSHIP.—

10 (i) IN GENERAL.—The initial Board
11 will consist of representatives as described
12 in clauses (i) through (vi) of paragraph
13 (1)(B).

14 (ii) REMAINING MEMBERS.—Not later
15 than 60 days after the date of enactment
16 of this Act, the representatives of the ini-
17 tial Board pursuant to clause (i) shall ap-
18 point the remaining members of the Board
19 described in clauses (viii) through (xiv) of
20 paragraph (1)(B).

21 (iii) TRIBAL REPRESENTATIVES.—Not
22 later than 60 days after the enactment of
23 this Act, the Secretary shall provide to the
24 Board a recommendation of not fewer than
25 3 tribal representatives, from which the

1 Board shall appoint 1 representative pur-
2 suant to clause (vii) of paragraph (1)(B).

3 (C) TRANSITIONAL TERMS.—Of the mem-
4 bers described in paragraph (1)(B)(x) initially
5 appointed to the Board—

6 (i) 2 shall be appointed for a term of
7 1 year;

8 (ii) 2 shall be appointed for a term of
9 2 years; and

10 (iii) 3 shall be appointed for a term of
11 3 years.

12 (D) VACANCIES.—

13 (i) IN GENERAL.—A vacancy of a
14 member of the Board described in any of
15 clauses (viii) through (xiv) of paragraph
16 (1)(B) shall be filled by an appointment
17 made by the remaining members of the
18 Board.

19 (ii) TRIBAL REPRESENTATIVES.—Fol-
20 lowing a vacancy of a member of the
21 Board described in clause (vii) of para-
22 graph (1)(B), the Secretary shall rec-
23 ommend to the Board a list of not fewer
24 than 3 tribal representatives, from which

1 the remaining members of the Board shall
2 appoint a representative to fill the vacancy.

3 (E) CONTINUATION OF SERVICE.—An indi-
4 vidual whose term of service as a member of the
5 Board expires may continue to serve on the
6 Board until a successor is appointed.

7 (F) REMOVAL.—If a member of the Board
8 described in any of clauses (viii) through (xiv)
9 of paragraph (1)(B) misses 3 consecutive regu-
10 larly scheduled Board meetings, the members of
11 the Board may—

12 (i) vote to remove that member; and

13 (ii) appoint another individual in ac-
14 cordance with subparagraph (D).

15 (3) CHAIRPERSON.—

16 (A) IN GENERAL.—The representative of
17 the Association of Fish and Wildlife Agencies
18 appointed pursuant to paragraph (1)(B)(v)
19 shall serve as Chairperson of the Board.

20 (B) TERM.—The Chairperson of the Board
21 shall serve for a term of 3 years.

22 (4) MEETINGS.—

23 (A) IN GENERAL.—The Board shall
24 meet—

25 (i) at the call of the Chairperson; but

1 (ii) not less frequently than twice each
2 calendar year.

3 (B) PUBLIC ACCESS.—All meetings of the
4 Board shall be open to the public.

5 (5) PROCEDURES.—

6 (A) IN GENERAL.—The Board shall estab-
7 lish procedures to carry out the business of the
8 Board, including—

9 (i) a requirement that a quorum of
10 the members of the Board be present to
11 transact business;

12 (ii) a requirement that no rec-
13 ommendations may be adopted by the
14 Board, except by the vote of $\frac{2}{3}$ of all mem-
15 bers;

16 (iii) procedures for establishing na-
17 tional goals and priorities for fish habitat
18 conservation for the purposes of this sec-
19 tion;

20 (iv) procedures for designating Part-
21 nerships under subsection (d); and

22 (v) procedures for reviewing, evalu-
23 ating, and making recommendations re-
24 garding fish habitat conservation projects.

1 (B) QUORUM.—A majority of the members
2 of the Board shall constitute a quorum.

3 (d) FISH HABITAT PARTNERSHIPS.—

4 (1) AUTHORITY TO RECOMMEND.—The Board
5 may recommend to Congress the designation of Fish
6 Habitat Partnerships in accordance with this sub-
7 section.

8 (2) PURPOSES.—The purposes of a Partnership
9 shall be—

10 (A) to work with other regional habitat
11 conservation programs to promote cooperation
12 and coordination to enhance fish and fish habi-
13 tats;

14 (B) to engage local and regional commu-
15 nities to build support for fish habitat conserva-
16 tion;

17 (C) to involve diverse groups of public and
18 private partners;

19 (D) to develop collaboratively a strategic
20 vision and achievable implementation plan that
21 is scientifically sound;

22 (E) to leverage funding from sources that
23 support local and regional partnerships;

1 (F) to use adaptive management prin-
2 ciples, including evaluation of project success
3 and functionality;

4 (G) to develop appropriate local or regional
5 habitat evaluation and assessment measures
6 and criteria that are compatible with national
7 habitat condition measures; and

8 (H) to implement local and regional pri-
9 ority projects that improve conditions for fish
10 and fish habitat.

11 (3) CRITERIA FOR DESIGNATION.—An entity
12 seeking to be designated by Congress as a Partner-
13 ship shall—

14 (A) submit to the Board an application at
15 such time, in such manner, and containing such
16 information as the Board may reasonably re-
17 quire; and

18 (B) demonstrate to the Board that the en-
19 tity has—

20 (i) a focus on promoting the health of
21 important fish and fish habitats;

22 (ii) an ability to coordinate the imple-
23 mentation of priority projects that support
24 the goals and national priorities set by the

1 Board that are within the Partnership
2 boundary;

3 (iii) a self-governance structure that
4 supports the implementation of strategic
5 priorities for fish habitat;

6 (iv) the ability to develop local and re-
7 gional relationships with a broad range of
8 entities to further strategic priorities for
9 fish and fish habitat;

10 (v) a strategic plan that details re-
11 quired investments for fish habitat con-
12 servation that addresses the strategic fish
13 habitat priorities of the Partnership and
14 supports and meets the strategic priorities
15 of the Board;

16 (vi) the ability to develop and imple-
17 ment fish habitat conservation projects
18 that address strategic priorities of the
19 Partnership and the Board; and

20 (vii) the ability to develop fish habitat
21 conservation priorities based on sound
22 science and data, the ability to measure
23 the effectiveness of fish habitat projects of
24 the Partnership, and a clear plan as to
25 how Partnership science and data compo-

1 nents will be integrated with the overall
2 Board science and data effort.

3 (4) REQUIREMENTS FOR RECOMMENDATION TO
4 CONGRESS.—The Board may recommend to Con-
5 gress for designation an application for a Partner-
6 ship submitted under paragraph (3)(A) if the Board
7 determines that the applicant—

8 (A) meets the criteria described in para-
9 graph (3)(B);

10 (B) identifies representatives to provide
11 support and technical assistance to the Partner-
12 ship from a diverse group of public and private
13 partners, which may include State or local gov-
14 ernments, nonprofit entities, Indian tribes, and
15 private individuals, that are focused on con-
16 servation of fish habitats to achieve results
17 across jurisdictional boundaries on public and
18 private land;

19 (C) is organized to promote the health of
20 important fish species and important fish habi-
21 tats, including reservoirs, natural lakes, coastal
22 and marine environments, and estuaries;

23 (D) identifies strategic fish and fish habi-
24 tat priorities for the Partnership area in the
25 form of geographical focus areas or key

1 stressors or impairments to facilitate strategic
2 planning and decisionmaking;

3 (E) is able to address issues and priorities
4 on a nationally significant scale;

5 (F) includes a governance structure that—

6 (i) reflects the range of all partners;

7 and

8 (ii) promotes joint strategic planning

9 and decisionmaking by the applicant;

10 (G) demonstrates completion of, or signifi-
11 cant progress toward the development of, a
12 strategic plan to address the decline in fish pop-
13 ulations, rather than simply treating symptoms,
14 in accordance with the goals and national prior-
15 ities established by the Board; and

16 (H) promotes collaboration in developing a
17 strategic vision and implementation program
18 that is scientifically sound and achievable.

19 (5) REPORT TO CONGRESS.—

20 (A) IN GENERAL.—Not later than Feb-
21 ruary 1 of the first fiscal year beginning after
22 the date of enactment of this Act and each Feb-
23 ruary 1 thereafter, the Board shall develop and
24 submit to the appropriate congressional com-
25 mittees an annual report, to be entitled “Report

1 to Congress on Future Fish Habitat Partner-
2 ships and Modifications”, that—

3 (i) identifies any entity that—

4 (I) meets the requirements de-
5 scribed in paragraph (4); and

6 (II) the Board recommends for
7 designation as a Partnership;

8 (ii) describes any proposed modifica-
9 tions to a Partnership previously des-
10 ignated by Congress under paragraph (6);
11 and

12 (iii) with respect to each entity rec-
13 ommended for designation as a Partner-
14 ship, describes, to the maximum extent
15 practicable—

16 (I) the purpose of the rec-
17 ommended Partnership; and

18 (II) how the recommended Part-
19 nership fulfills the requirements de-
20 scribed in paragraph (4).

21 (B) PUBLIC AVAILABILITY; NOTIFICA-
22 TION.—The Board shall—

23 (i) make the report publicly available,
24 including on the Internet; and

1 (ii) provide to the appropriate con-
2 gressional committees and the State agen-
3 cy of any State included in a recommended
4 Partnership area written notification of the
5 public availability of the report.

6 (6) DESIGNATION OR MODIFICATION OF PART-
7 NERSHIP.—Congress shall have the sole authority to
8 designate or modify a Partnership.

9 (7) EXISTING PARTNERSHIPS.—

10 (A) DESIGNATION REVIEW.—Not later
11 than 5 years after the date of enactment of this
12 Act, any fish habitat partnership receiving Fed-
13 eral funds as of the date of enactment of this
14 Act shall be subject to a designation review by
15 Congress in which Congress shall have the op-
16 portunity to designate the partnership under
17 paragraph (6).

18 (B) INELIGIBILITY FOR FEDERAL
19 FUNDS.—A partnership referred to in subpara-
20 graph (A) that Congress does not designate as
21 described in that subparagraph shall be ineli-
22 gible to receive Federal funds under this sec-
23 tion.

24 (e) FISH HABITAT CONSERVATION PROJECTS.—

1 (1) SUBMISSION TO BOARD.—Not later than
2 March 31 of each calendar year, each Partnership
3 shall submit to the Board a list of priority fish habi-
4 tat conservation projects recommended by the Part-
5 nership for annual funding under this section.

6 (2) RECOMMENDATIONS BY BOARD.—Not later
7 than July 1 of each calendar year, the Board shall
8 submit to the Secretary a priority list of fish habitat
9 conservation projects that includes the description,
10 including estimated costs, of each project that the
11 Board recommends that the Secretary approve and
12 fund under this section for the following fiscal year.

13 (3) CRITERIA FOR PROJECT SELECTION.—The
14 Board shall select each fish habitat conservation
15 project to be recommended to the Secretary under
16 paragraph (2) after taking into consideration, at a
17 minimum, the following information:

18 (A) A recommendation of the Partnership
19 that is, or will be, participating actively in im-
20 plementing the fish habitat conservation
21 project.

22 (B) The capabilities and experience of
23 project proponents to implement successfully
24 the proposed project.

1 (C) The extent to which the fish habitat
2 conservation project—

3 (i) fulfills a local or regional priority
4 that is directly linked to the strategic plan
5 of the Partnership and is consistent with
6 the purpose of this section;

7 (ii) addresses the national priorities
8 established by the Board;

9 (iii) is supported by the findings of
10 the Habitat Assessment of the Partnership
11 or the Board, and aligns or is compatible
12 with other conservation plans;

13 (iv) identifies appropriate monitoring
14 and evaluation measures and criteria that
15 are compatible with national measures;

16 (v) provides a well-defined budget
17 linked to deliverables and outcomes;

18 (vi) leverages other funds to imple-
19 ment the project;

20 (vii) addresses the causes and proc-
21 esses behind the decline of fish or fish
22 habitats; and

23 (viii) includes an outreach or edu-
24 cation component that includes the local or
25 regional community.

1 (D) The availability of sufficient non-Fed-
2 eral funds to match Federal contributions for
3 the fish habitat conservation project, as re-
4 quired by paragraph (5);

5 (E) The extent to which the local or re-
6 gional fish habitat conservation project—

7 (i) will increase fish populations in a
8 manner that leads to recreational fishing
9 opportunities for the public;

10 (ii) will be carried out through a coop-
11 erative agreement among Federal, State,
12 and local governments, Indian tribes, and
13 private entities;

14 (iii) increases public access to land or
15 water for fish and wildlife-dependent rec-
16 reational opportunities;

17 (iv) advances the conservation of fish
18 and wildlife species that have been identi-
19 fied by the States as species of greatest
20 conservation need;

21 (v) where appropriate, advances the
22 conservation of fish and fish habitats
23 under the Magnuson-Stevens Fishery Con-
24 servation and Management Act (16 U.S.C.

1 1801 et seq.) and other relevant Federal
2 law and State wildlife action plans; and

3 (vi) promotes strong and healthy fish
4 habitats so that desired biological commu-
5 nities are able to persist and adapt.

6 (F) The substantiality of the character and
7 design of the fish habitat conservation project.

8 (4) LIMITATIONS.—

9 (A) REQUIREMENTS FOR EVALUATION.—

10 No fish habitat conservation project may be
11 recommended by the Board under paragraph
12 (2) or provided financial assistance under this
13 section unless the fish habitat conservation
14 project includes an evaluation plan designed
15 using applicable Board guidance—

16 (i) to appropriately assess the biologi-
17 cal, ecological, or other results of the habi-
18 tat protection, restoration, or enhancement
19 activities carried out using the assistance;

20 (ii) to reflect appropriate changes to
21 the fish habitat conservation project if the
22 assessment substantiates that the fish
23 habitat conservation project objectives are
24 not being met;

1 (iii) to identify improvements to exist-
2 ing fish populations, recreational fishing
3 opportunities and the overall economic ben-
4 efits for the local community of the fish
5 habitat conservation project; and

6 (iv) to require the submission to the
7 Board of a report describing the findings
8 of the assessment.

9 (B) ACQUISITION AUTHORITIES.—

10 (i) IN GENERAL.—A State, local gov-
11 ernment, or other non-Federal entity is eli-
12 gible to receive funds for the acquisition of
13 real property from willing sellers under
14 this section if the acquisition ensures 1
15 of—

16 (I) public access for compatible
17 fish and wildlife-dependent recreation;
18 or

19 (II) a scientifically based, direct
20 enhancement to the health of fish and
21 fish populations, as determined by the
22 Board.

23 (ii) STATE AGENCY APPROVAL.—

24 (I) IN GENERAL.—All real prop-
25 erty interest acquisition projects fund-

1 ed under this section are required to
2 be approved by the State agency in
3 the State in which the project is oc-
4 ccurring.

5 (II) PROHIBITION.—The Board
6 may not recommend, and the Sec-
7 retary may not provide any funding
8 for, any real property interest acquisi-
9 tion that has not been approved by
10 the State agency.

11 (iii) ASSESSMENT OF OTHER AU-
12 THORITIES.—The Fish Habitat Partner-
13 ship shall conduct a project assessment,
14 submitted with the funding request and
15 approved by the Board, to demonstrate all
16 other Federal, State, and local authorities
17 for the acquisition of real property have
18 been exhausted.

19 (iv) RESTRICTIONS.—A real property
20 interest may not be acquired pursuant to a
21 fish habitat conservation project by a
22 State, local government, or other non-Fed-
23 eral entity, unless—

24 (I) the owner of the real property
25 authorizes the State, local govern-

1 ment, or other non-Federal entity to
2 acquire the real property; and

3 (II) the Secretary and the Board
4 determine that the State, local govern-
5 ment, or other non-Federal entity
6 would benefit from undertaking the
7 management of the real property
8 being acquired because that is in ac-
9 cordance with the goals of a partner-
10 ship.

11 (5) NON-FEDERAL CONTRIBUTIONS.—

12 (A) IN GENERAL.—Except as provided in
13 subparagraph (B), no fish habitat conservation
14 project may be recommended by the Board
15 under paragraph (2) or provided financial as-
16 sistance under this section unless at least 50
17 percent of the cost of the fish habitat conserva-
18 tion project will be funded with non-Federal
19 funds.

20 (B) NON-FEDERAL SHARE.—The non-Fed-
21 eral share of the cost of a fish habitat conserva-
22 tion project—

23 (i) may not be derived from another
24 Federal grant program; but

1 (ii) may include in-kind contributions
2 and cash.

3 (C) SPECIAL RULE FOR INDIAN TRIBES.—
4 Notwithstanding subparagraph (A) or any other
5 provision of law, any funds made available to
6 an Indian tribe pursuant to this section may be
7 considered to be non-Federal funds for the pur-
8 pose of subparagraph (A).

9 (6) APPROVAL.—

10 (A) IN GENERAL.—Not later than 90 days
11 after the date of receipt of the recommended
12 priority list of fish habitat conservation projects
13 under paragraph (2), subject to the limitations
14 of paragraph (4), and based, to the maximum
15 extent practicable, on the criteria described in
16 paragraph (3), the Secretary, after consulting
17 with the Secretary of Commerce on marine or
18 estuarine projects, shall approve or reject any
19 fish habitat conservation project recommended
20 by the Board.

21 (B) FUNDING.—If the Secretary approves
22 a fish habitat conservation project under sub-
23 paragraph (A), the Secretary shall use amounts
24 made available to carry out this section to pro-

1 vide funds to carry out the fish habitat con-
2 servation project.

3 (C) NOTIFICATION.—If the Secretary re-
4 jects any fish habitat conservation project rec-
5 ommended by the Board under paragraph (2),
6 not later than 180 days after the date of receipt
7 of the recommendation, the Secretary shall pro-
8 vide to the Board, the appropriate Partnership,
9 and the appropriate congressional committees a
10 written statement of the reasons that the Sec-
11 retary rejected the fish habitat conservation
12 project.

13 (f) TECHNICAL AND SCIENTIFIC ASSISTANCE.—

14 (1) IN GENERAL.—The Director, the NOAA
15 Assistant Administrator, the EPA Assistant Admin-
16 istrator, and the Director of the United States Geo-
17 logical Survey, in coordination with the Forest Serv-
18 ice and other appropriate Federal departments and
19 agencies, may provide scientific and technical assist-
20 ance to the Partnerships, participants in fish habitat
21 conservation projects, and the Board.

22 (2) INCLUSIONS.—Scientific and technical as-
23 sistance provided pursuant to paragraph (1) may in-
24 clude—

1 (A) providing technical and scientific as-
2 sistance to States, Indian tribes, regions, local
3 communities, and nongovernmental organiza-
4 tions in the development and implementation of
5 Partnerships;

6 (B) providing technical and scientific as-
7 sistance to Partnerships for habitat assessment,
8 strategic planning, and prioritization;

9 (C) supporting the development and imple-
10 mentation of fish habitat conservation projects
11 that are identified as high priorities by Partner-
12 ships and the Board;

13 (D) supporting and providing recommenda-
14 tions regarding the development of science-
15 based monitoring and assessment approaches
16 for implementation through Partnerships;

17 (E) supporting and providing recommenda-
18 tions for a national fish habitat assessment;

19 (F) ensuring the availability of experts to
20 assist in conducting scientifically based evalua-
21 tion and reporting of the results of fish habitat
22 conservation projects; and

23 (G) providing resources to secure State
24 agency scientific and technical assistance to

1 support Partnerships, participants in fish habi-
2 tat conservation projects, and the Board.

3 (g) COORDINATION WITH STATES AND INDIAN
4 TRIBES.—The Secretary shall provide a notice to, and co-
5 operate with, the appropriate State agency or tribal agen-
6 cy, as applicable, of each State and Indian tribe within
7 the boundaries of which an activity is planned to be car-
8 ried out pursuant to this section, including notification,
9 by not later than 30 days before the date on which the
10 activity is implemented.

11 (h) INTERAGENCY OPERATIONAL PLAN.—Not later
12 than 1 year after the date of enactment of this Act, and
13 every 5 years thereafter, the Director, in cooperation with
14 the NOAA Assistant Administrator, the EPA Assistant
15 Administrator, the Director of the United States Geologi-
16 cal Survey, and the heads of other appropriate Federal
17 departments and agencies (including at a minimum, those
18 agencies represented on the Board) shall develop an inter-
19 agency operational plan that describes—

- 20 (1) the functional, operational, technical, sci-
21 entific, and general staff, administrative, and mate-
22 rial needs for the implementation of this section; and
23 (2) any interagency agreements between or
24 among Federal departments and agencies to address
25 those needs.

1 (i) ACCOUNTABILITY AND REPORTING.—

2 (1) REPORTING.—

3 (A) IN GENERAL.—Not later than 5 years
4 after the date of enactment of this Act, and
5 every 5 years thereafter, the Board shall submit
6 to the appropriate congressional committees a
7 report describing the progress of this section.

8 (B) CONTENTS.—Each report submitted
9 under subparagraph (A) shall include—

10 (i) an estimate of the number of
11 acres, stream miles, or acre-feet, or other
12 suitable measures of fish habitat, that was
13 maintained or improved by partnerships of
14 Federal, State, or local governments, In-
15 dian tribes, or other entities in the United
16 States during the 5-year period ending on
17 the date of submission of the report;

18 (ii) a description of the public access
19 to fish habitats established or improved
20 during that 5-year period;

21 (iii) a description of the improved op-
22 portunities for public recreational fishing;
23 and

24 (iv) an assessment of the status of
25 fish habitat conservation projects carried

1 out with funds provided under this section
2 during that period, disaggregated by year,
3 including—

4 (I) a description of the fish habi-
5 tat conservation projects rec-
6 ommended by the Board under sub-
7 section (e)(2);

8 (II) a description of each fish
9 habitat conservation project approved
10 by the Secretary under subsection
11 (e)(6), in order of priority for funding;

12 (III) a justification for—

13 (aa) the approval of each
14 fish habitat conservation project;
15 and

16 (bb) the order of priority for
17 funding of each fish habitat con-
18 servation project;

19 (IV) a justification for any rejec-
20 tion of a fish habitat conservation
21 project recommended by the Board
22 under subsection (e)(2) that was
23 based on a factor other than the cri-
24 teria described in subsection (e)(3);
25 and

1 (V) an accounting of expendi-
2 tures by Federal, State, or local gov-
3 ernments, Indian tribes, or other enti-
4 ties to carry out fish habitat conserva-
5 tion projects.

6 (2) STATUS AND TRENDS REPORT.—Not later
7 than December 31, 2018, and every 5 years there-
8 after, the Board shall submit to the appropriate con-
9 gressional committees a report that includes—

10 (A) a status of all Partnerships designated
11 under this section;

12 (B) a description of the status of fish habi-
13 tats in the United States as identified by estab-
14 lished Partnerships; and

15 (C) enhancements or reductions in public
16 access as a result of—

17 (i) the activities of the Partnerships;

18 or

19 (ii) any other activities carried out
20 pursuant to this section.

21 (j) EFFECT OF SECTION.—

22 (1) WATER RIGHTS.—Nothing in this section—

23 (A) establishes any express or implied re-
24 served water right in the United States for any
25 purpose;

1 (B) affects any water right in existence on
2 the date of enactment of this Act;

3 (C) preempts or affects any State water
4 law or interstate compact governing water; or

5 (D) affects any Federal or State law in ex-
6 istence on the date of enactment of the Act re-
7 garding water quality or water quantity.

8 (2) AUTHORITY TO ACQUIRE WATER RIGHTS OR
9 RIGHTS TO PROPERTY.—Under this section, only a
10 State, local government, or other non-Federal entity
11 may acquire, under State law, water rights or rights
12 to property.

13 (3) STATE AUTHORITY.—Nothing in this sec-
14 tion—

15 (A) affects the authority, jurisdiction, or
16 responsibility of a State to manage, control, or
17 regulate fish and wildlife under the laws and
18 regulations of the State; or

19 (B) authorizes the Secretary to control or
20 regulate within a State the fishing or hunting
21 of fish and wildlife.

22 (4) EFFECT ON INDIAN TRIBES.—Nothing in
23 this section abrogates, abridges, affects, modifies,
24 supersedes, or alters any right of an Indian tribe

1 recognized by treaty or any other means, includ-
2 ing—

3 (A) an agreement between the Indian tribe
4 and the United States;

5 (B) Federal law (including regulations);

6 (C) an Executive order; or

7 (D) a judicial decree.

8 (5) ADJUDICATION OF WATER RIGHTS.—Noth-
9 ing in this section diminishes or affects the ability
10 of the Secretary to join an adjudication of rights to
11 the use of water pursuant to subsection (a), (b), or
12 (c) of section 208 of the Department of Justice Ap-
13 propriation Act, 1953 (43 U.S.C. 666).

14 (6) DEPARTMENT OF COMMERCE AUTHOR-
15 ITY.—Nothing in this section affects the authority,
16 jurisdiction, or responsibility of the Department of
17 Commerce to manage, control, or regulate fish or
18 fish habitats under the Magnuson-Stevens Fishery
19 Conservation and Management Act (16 U.S.C. 1801
20 et seq.).

21 (7) EFFECT ON OTHER AUTHORITIES.—

22 (A) PRIVATE PROPERTY PROTECTION.—

23 Nothing in this section permits the use of funds
24 made available to carry out this section to ac-
25 quire real property or a real property interest

1 without the written consent of each owner of
2 the real property or real property interest.

3 (B) MITIGATION.—Nothing in this section
4 permits the use of funds made available to
5 carry out this section for fish and wildlife miti-
6 gation purposes under—

7 (i) the Federal Water Pollution Con-
8 trol Act (33 U.S.C. 1251 et seq.);

9 (ii) the Fish and Wildlife Coordina-
10 tion Act (16 U.S.C. 661 et seq.);

11 (iii) the Water Resources Develop-
12 ment Act of 1986 (Public Law 99–662;
13 100 Stat. 4082); or

14 (iv) any other Federal law or court
15 settlement.

16 (C) CLEAN WATER ACT.—Nothing in this
17 section affects any provision of the Federal
18 Water Pollution Control Act (33 U.S.C. 1251 et
19 seq.), including any definition in that Act.

20 (k) NONAPPLICABILITY OF FEDERAL ADVISORY
21 COMMITTEE ACT.—The Federal Advisory Committee Act
22 (5 U.S.C. App.) shall not apply to—

23 (1) the Board; or

24 (2) any Partnership.

25 (l) FUNDING.—

1 (1) AUTHORIZATION OF APPROPRIATIONS.—

2 (A) FISH HABITAT CONSERVATION
3 PROJECTS.—There is authorized to be appro-
4 priated to the Secretary \$7,200,000 for each of
5 fiscal years 2018 through 2022 to provide
6 funds for fish habitat conservation projects ap-
7 proved under subsection (e)(6), of which 5 per-
8 cent shall be made available for each fiscal year
9 for projects carried out by Indian tribes.

10 (B) ADMINISTRATIVE AND PLANNING EX-
11 PENSES.—There is authorized to be appro-
12 priated to the Secretary for each of fiscal years
13 2018 through 2022 an amount equal to 5 per-
14 cent of the amount appropriated for the appli-
15 cable fiscal year pursuant to subparagraph
16 (A)—

17 (i) for administrative and planning ex-
18 penses; and

19 (ii) to carry out subsection (i).

20 (C) TECHNICAL AND SCIENTIFIC ASSIST-
21 ANCE.—There is authorized to be appropriated
22 for each of fiscal years 2018 through 2022 to
23 carry out, and provide technical and scientific
24 assistance under, subsection (f)—

1 (i) \$500,000 to the Secretary for use
2 by the United States Fish and Wildlife
3 Service;

4 (ii) \$500,000 to the NOAA Assistant
5 Administrator for use by the National Oce-
6 anic and Atmospheric Administration;

7 (iii) \$500,000 to the EPA Assistant
8 Administrator for use by the Environ-
9 mental Protection Agency; and

10 (iv) \$500,000 to the Secretary for use
11 by the United States Geological Survey.

12 (2) AGREEMENTS AND GRANTS.—The Secretary
13 may—

14 (A) on the recommendation of the Board,
15 and notwithstanding sections 6304 and 6305 of
16 title 31, United States Code, and the Federal
17 Financial Assistance Management Improvement
18 Act of 1999 (31 U.S.C. 6101 note; Public Law
19 106–107), enter into a grant agreement, coop-
20 erative agreement, or contract with a Partner-
21 ship or other entity for a fish habitat conserva-
22 tion project or restoration or enhancement
23 project;

1 (B) apply for, accept, and use a grant
2 from any individual or entity to carry out the
3 purposes of this section; and

4 (C) make funds available to any Federal
5 department or agency for use by that depart-
6 ment or agency to provide grants for any fish
7 habitat protection project, restoration project,
8 or enhancement project that the Secretary de-
9 termines to be consistent with this section.

10 (3) DONATIONS.—

11 (A) IN GENERAL.—The Secretary may—

12 (i) enter into an agreement with any
13 organization described in section 501(c)(3)
14 of the Internal Revenue Code of 1986 that
15 is exempt from taxation under section
16 501(a) of that Code to solicit private dona-
17 tions to carry out the purposes of this sec-
18 tion; and

19 (ii) accept donations of funds, prop-
20 erty, and services to carry out the purposes
21 of this section.

22 (B) TREATMENT.—A donation accepted
23 under this section—

1 (i) shall be considered to be a gift or
2 bequest to, or otherwise for the use of, the
3 United States; and

4 (ii) may be—

5 (I) used directly by the Sec-
6 retary; or

7 (II) provided to another Federal
8 department or agency through an
9 interagency agreement.

10 (m) PROHIBITION AGAINST IMPLEMENTATION OF
11 REGULATORY AUTHORITY BY FEDERAL AGENCIES.—Any
12 Partnership designated under this section—

13 (1) shall be for the sole purpose of promoting
14 fish conservation; and

15 (2) shall not be used to implement any regu-
16 latory authority of any Federal agency.

17 **TITLE XI—TARGET PRACTICE**
18 **AND MARKSMANSHIP TRAIN-**
19 **ING SUPPORT**

20 **SEC. 1101. SHORT TITLE.**

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

23 **SEC. 1102. DEFINITION OF PUBLIC TARGET RANGE.**

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

- 1 (1) is identified by a governmental agency for
 2 recreational shooting;
 3 (2) is open to the public;
 4 (3) may be supervised; and
 5 (4) may accommodate archery or rifle, pistol, or
 6 shotgun shooting.

7 **SEC. 1103. AMENDMENTS TO PITTMAN-ROBERTSON WILD-**
 8 **LIFE RESTORATION ACT.**

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

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

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

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

20 “(B) is open to the public;

21 “(C) may be supervised; and

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

24 (b) EXPENDITURES FOR MANAGEMENT OF WILD-
 25 LIFE AREAS AND RESOURCES.—Section 8(b) of the Pitt-

1 man-Robertson Wildlife Restoration Act (16 U.S.C.
2 669g(b)) is amended—

3 (1) by striking “(b) Each State” and inserting
4 the following:

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

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

9 (2) in paragraph (1) (as so designated), by
10 striking “construction, operation,” and inserting
11 “operation”;

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

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

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

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

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

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

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

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

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

14 (2) by striking subsection (b) and inserting the
15 following:

16 “(b) COST SHARING.—

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

22 “(2) PUBLIC TARGET RANGE CONSTRUCTION OR
23 EXPANSION.—The Federal share of the cost of ac-
24 quiring land for, expanding, or constructing a public
25 target range in a State on Federal or non-Federal

1 land pursuant to this section or section 8(b) shall
2 not exceed 90 percent of the cost of the activity.”;
3 and

4 (3) in subsection (c)(1)—

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

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

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

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

17 **SEC. 1104. LIMITS ON LIABILITY.**

18 (a) DISCRETIONARY FUNCTION.—For purposes of
19 chapter 171 of title 28, United States Code (commonly
20 referred to as the “Federal Tort Claims Act”), any action
21 by an agent or employee of the United States to manage
22 or allow the use of Federal land for purposes of target
23 practice or marksmanship training by a member of the
24 public shall be considered to be the exercise or perform-
25 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. 1105. SENSE OF CONGRESS REGARDING COOPERA-**
12 **TION.**

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

21 **TITLE XII—SPORTSMEN’S**
22 **ACCESS TO FEDERAL LAND**

23 **SEC. 1201. DEFINITIONS.**

24 In this title:

1 (1) FEDERAL LAND.—The term “Federal land”
2 means—

3 (A) any land in the National Forest Sys-
4 tem (as defined in section 11(a) of the Forest
5 and Rangeland Renewable Resources Planning
6 Act of 1974 (16 U.S.C. 1609(a))) that is ad-
7 ministered by the Secretary of Agriculture, act-
8 ing through the Chief of the Forest Service;
9 and

10 (B) public lands (as defined in section 103
11 of the Federal Land Policy and Management
12 Act of 1976 (43 U.S.C. 1702)), the surface of
13 which is administered by the Secretary, acting
14 through the Director of the Bureau of Land
15 Management.

16 (2) SECRETARY CONCERNED.—The term “Sec-
17 retary concerned” means—

18 (A) the Secretary of Agriculture, with re-
19 spect to land described in paragraph (1)(A);
20 and

21 (B) the Secretary, with respect to land de-
22 scribed in paragraph (1)(B).

1 **SEC. 1202. FEDERAL LAND OPEN TO HUNTING, FISHING,**
2 **AND RECREATIONAL SHOOTING.**

3 (a) IN GENERAL.—Subject to subsection (b), Federal
4 land shall be open to hunting, fishing, and recreational
5 shooting, in accordance with applicable law, unless the
6 Secretary concerned closes an area in accordance with sec-
7 tion 1203.

8 (b) EFFECT OF PART.—Nothing in this title opens
9 to hunting, fishing, or recreational shooting any land that
10 is not open to those activities as of the date of enactment
11 of this Act.

12 **SEC. 1203. CLOSURE OF FEDERAL LAND TO HUNTING, FISH-**
13 **ING, AND RECREATIONAL SHOOTING.**

14 (a) AUTHORIZATION.—

15 (1) IN GENERAL.—Subject to paragraph (2)
16 and in accordance with section 302(b) of the Federal
17 Land Policy and Management Act of 1976 (43
18 U.S.C. 1732(b)), the Secretary concerned may des-
19 ignate any area on Federal land in which, and estab-
20 lish any period during which, for reasons of public
21 safety, administration, or compliance with applicable
22 laws, no hunting, fishing, or recreational shooting
23 shall be permitted.

24 (2) REQUIREMENT.—In making a designation
25 under paragraph (1), the Secretary concerned shall
26 designate the smallest area for the least amount of

1 time that is required for public safety, administra-
2 tion, or compliance with applicable laws.

3 (b) CLOSURE PROCEDURES.—

4 (1) IN GENERAL.—Except in an emergency, be-
5 fore permanently or temporarily closing any Federal
6 land to hunting, fishing, or recreational shooting,
7 the Secretary concerned shall—

8 (A) consult with State fish and wildlife
9 agencies; and

10 (B) provide public notice and opportunity
11 for comment under paragraph (2).

12 (2) PUBLIC NOTICE AND COMMENT.—

13 (A) IN GENERAL.—Public notice and com-
14 ment shall include—

15 (i) a notice of intent—

16 (I) published in advance of the
17 public comment period for the clo-
18 sure—

19 (aa) in the Federal Register;

20 (bb) on the website of the
21 applicable Federal agency;

22 (cc) on the website of the
23 Federal land unit, if available;
24 and

1 (dd) in at least 1 local news-
2 paper;

3 (II) made available in advance of
4 the public comment period to local of-
5 fices, chapters, and affiliate organiza-
6 tions in the vicinity of the closure that
7 are signatories to the memorandum of
8 understanding entitled “Federal
9 Lands Hunting, Fishing, and Shoot-
10 ing Sports Roundtable Memorandum
11 of Understanding”; and

12 (III) that describes—

13 (aa) the proposed closure;
14 and

15 (bb) the justification for the
16 proposed closure, including an
17 explanation of the reasons and
18 necessity for the decision to close
19 the area to hunting, fishing, or
20 recreational shooting; and

21 (ii) an opportunity for public comment
22 for a period of—

23 (I) not less than 60 days for a
24 permanent closure; or

1 (II) not less than 30 days for a
2 temporary closure.

3 (B) FINAL DECISION.—In a final decision
4 to permanently or temporarily close an area to
5 hunting, fishing, or recreation shooting, the
6 Secretary concerned shall—

7 (i) respond in a reasoned manner to
8 the comments received;

9 (ii) explain how the Secretary con-
10 cerned resolved any significant issues
11 raised by the comments; and

12 (iii) show how the resolution led to
13 the closure.

14 (c) TEMPORARY CLOSURES.—

15 (1) IN GENERAL.—A temporary closure under
16 this section may not exceed a period of 180 days.

17 (2) RENEWAL.—Except in an emergency, a
18 temporary closure for the same area of land closed
19 to the same activities—

20 (A) may not be renewed more than 3 times
21 after the first temporary closure; and

22 (B) must be subject to a separate notice
23 and comment procedure in accordance with sub-
24 section (b)(2).

1 (3) EFFECT OF TEMPORARY CLOSURE.—Any
2 Federal land that is temporarily closed to hunting,
3 fishing, or recreational shooting under this section
4 shall not become permanently closed to that activity
5 without a separate public notice and opportunity to
6 comment in accordance with subsection (b)(2).

7 (d) REPORTING.—On an annual basis, the Secre-
8 taries concerned shall—

9 (1) publish on a public website a list of all
10 areas of Federal land temporarily or permanently
11 subject to a closure under this section; and

12 (2) submit to the Committee on Energy and
13 Natural Resources and the Committee on Agri-
14 culture, Nutrition, and Forestry of the Senate and
15 the Committee on Natural Resources and the Com-
16 mittee on Agriculture of the House of Representa-
17 tives a report that identifies—

18 (A) a list of each area of Federal land tem-
19 porarily or permanently subject to a closure;

20 (B) the acreage of each closure; and

21 (C) a survey of—

22 (i) the aggregate areas and acreage
23 closed under this section in each State;
24 and

1 (ii) the percentage of Federal land in
 2 each State closed under this section with
 3 respect to hunting, fishing, and recreation-
 4 al shooting.

5 (e) APPLICATION.—This section shall not apply if the
 6 closure is—

7 (1) less than 14 days in duration; and

8 (2) covered by a special use permit.

9 **TITLE XIII—WILDLIFE AND**
 10 **HUNTING HERITAGE CON-**
 11 **SERVATION COUNCIL ADVI-**
 12 **SORY COMMITTEE**

13 **SEC. 1301. WILDLIFE AND HUNTING HERITAGE CONSERVA-**
 14 **TION COUNCIL ADVISORY COMMITTEE.**

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

18 **“SEC. 10. WILDLIFE AND HUNTING HERITAGE CONSERVA-**
 19 **TION COUNCIL ADVISORY COMMITTEE.**

20 “(a) ESTABLISHMENT.—There is established the
 21 Wildlife and Hunting Heritage Conservation Council Advi-
 22 sory Committee (referred to in this section as the ‘Advi-
 23 sory Committee’) to advise the Secretary of the Interior
 24 and the Secretary of Agriculture (referred to in this sec-

1 tion as the ‘Secretaries’) on wildlife and habitat conserva-
2 tion, hunting, and recreational shooting.

3 “(b) DUTIES OF THE ADVISORY COMMITTEE.—The
4 Advisory Committee shall advise the Secretaries regard-
5 ing—

6 “(1) implementation of the ‘Recreational Hunt-
7 ing and Wildlife Resource Conservation Plan—A
8 Ten-Year Plan for Implementation’ and any suc-
9 cessor plans, in accordance with Executive Order
10 13443 (16 U.S.C. 661 note; relating to facilitation
11 of hunting heritage and wildlife conservation);

12 “(2) increasing public awareness of, and sup-
13 port for, the Wildlife Restoration Program;

14 “(3) fostering wildlife and habitat conservation
15 and ethics in hunting and shooting sports recreation;

16 “(4) stimulating the participation of sportsmen
17 and sportswomen in the conservation and manage-
18 ment of wildlife and habitat resources through out-
19 reach and education;

20 “(5) fostering communication and coordination
21 among—

22 “(A) the Federal Government and State
23 and tribal governments;

24 “(B) industry;

1 “(C) sportsmen and sportswomen who
2 hunt and shoot;

3 “(D) wildlife and habitat conservation and
4 management organizations; and

5 “(E) the public;

6 “(6) providing appropriate access to Federal
7 land for recreational shooting and hunting; and

8 “(7) recommendations to improve implementa-
9 tion of Federal conservation programs that benefit
10 wildlife, hunting, and outdoor recreation on private
11 land.

12 “(c) MEMBERSHIP.—

13 “(1) APPOINTMENT.—

14 “(A) IN GENERAL.—The Advisory Com-
15 mittee shall consist of not more than 16 discre-
16 tionary members and 7 ex officio members.

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

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

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

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

14 “(C) DISCRETIONARY MEMBERS.—The dis-
15 cretionary members shall be appointed jointly
16 by the Secretaries from at least one of each of
17 the following:

18 “(i) State fish and wildlife manage-
19 ment agencies.

20 “(ii) Wildlife and habitat conservation
21 management organizations.

22 “(iii) Game bird hunting organiza-
23 tions.

24 “(iv) Waterfowl hunting organiza-
25 tions.

1 “(v) Big game hunting organizations.

2 “(vi) The tourism, outfitter, or guid-
3 ing industry relating to hunting, fishing,
4 and shooting sports.

5 “(vii) The hunting or shooting equip-
6 ment retail industry.

7 “(viii) Tribal resource management
8 organizations.

9 “(ix) Hunting, shooting, and fishing
10 sports outreach and education organiza-
11 tions.

12 “(x) Women’s hunting and fishing ad-
13 vocacy, outreach, or education organiza-
14 tions.

15 “(xi) Minority hunting and fishing ad-
16 vocacy, outreach, or education organiza-
17 tions.

18 “(xii) Veterans service organizations.

19 “(2) TERMS.—

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

1 “(B) TERMS OF INITIAL APPOINTEES.—As
2 designated by the Secretaries at the time of ap-
3 pointment, of the members first appointed—

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

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

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

10 “(3) PRESERVATION OF PUBLIC ADVISORY STA-
11 TUS.—No individual may be appointed as a discre-
12 tionary member of the Advisory Committee while
13 serving as an officer or employee of the Federal
14 Government.

15 “(4) VACANCY AND REMOVAL.—

16 “(A) IN GENERAL.—Any vacancy on the
17 Advisory Committee shall be filled in the man-
18 ner in which the original appointment was
19 made.

20 “(B) REMOVAL.—Advisory Committee
21 members shall serve at the discretion of the
22 Secretaries and may be removed at any time for
23 good cause.

24 “(5) CONTINUATION OF SERVICE.—Each ap-
25 pointed member may continue to serve after the ex-

1 piration of the term of office to which such member
2 was appointed until a successor has been appointed.

3 “(6) CHAIRPERSON.—The Chairperson of the
4 Advisory Committee shall be appointed for a 3-year
5 term by the Secretaries, jointly, from among the
6 members of the Advisory Committee. An individual
7 may not be appointed as Chairperson for more than
8 2 consecutive or nonconsecutive terms.

9 “(7) COMPENSATION.—Members of the Advi-
10 sory Committee shall serve without compensation.

11 “(8) TRAVEL EXPENSES.—Members of the Ad-
12 visory Committee may be allowed travel expenses, in-
13 cluding per diem in lieu of subsistence, at rates au-
14 thorized for an employee of an agency under sub-
15 chapter I of chapter 57 of title 5, United States
16 Code, while away from the home or regular place of
17 business of the member in the performance of duties
18 of the Advisory Committee.

19 “(9) MEETINGS.—

20 “(A) IN GENERAL.—The Advisory Com-
21 mittee shall meet at the call of the chairperson,
22 but not less frequently than twice annually.

23 “(B) OPEN MEETINGS.—Each meeting of
24 the Advisory Committee shall be open to the
25 public.

1 “(C) PRIOR NOTICE OF MEETINGS.—Time-
2 ly notice of each meeting of the Advisory Com-
3 mittee shall be published in the Federal Reg-
4 ister and be submitted to trade publications and
5 publications of general circulation.

6 “(D) SUBGROUPS.—The Advisory Com-
7 mittee may establish such workgroups or sub-
8 groups as the Advisory Committee deems nec-
9 essary for the purpose of compiling information
10 or conducting research.

11 “(10) QUORUM.—A majority of the members of
12 the Advisory Committee shall constitute a quorum.

13 “(d) EXPENSES, ADMINISTRATIVE SUPPORT, TECH-
14 NICAL SERVICES, AND ADVICE.—The Secretaries may
15 provide for expenses, administrative support, technical
16 services, and advice to the Advisory Committee that the
17 Secretaries determine to be appropriate.

18 “(e) ANNUAL REPORT.—

19 “(1) REQUIRED.—Not later than September 30
20 of each year, the Advisory Committee shall submit
21 a report to the Secretaries, the Committee on Nat-
22 ural Resources and the Committee on Agriculture of
23 the House of Representatives, and the Committee on
24 Energy and Natural Resources and the Committee

1 on Agriculture, Nutrition, and Forestry of the Sen-
2 ate.

3 “(2) CONTENTS.—The report required under
4 paragraph (1) shall describe—

5 “(A) the activities of the Advisory Com-
6 mittee during the preceding year;

7 “(B) the reports and recommendations
8 made by the Advisory Committee to the Secre-
9 taries during the preceding year; and

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

12 “(f) FEDERAL ADVISORY COMMITTEE ACT.—The
13 Advisory Committee shall be exempt from the Federal Ad-
14 visory Committee Act (5 U.S.C. App.).”.

15 **TITLE XIV—SHOOTING RANGES**

16 **SEC. 1401. SHOOTING RANGES.**

17 (a) IN GENERAL.—Except as provided in subsection
18 (b), the Secretary concerned may, in accordance with this
19 section and other applicable law, lease or permit the use
20 of Federal land for a shooting range.

21 (b) EXCEPTION.—The Secretary concerned shall not
22 lease or permit the use of Federal land for a shooting
23 range, within—

24 (1) a component of the National Landscape
25 Conservation System;

- 1 (2) a component of the National Wilderness
 2 Preservation System;
- 3 (3) any area that is—
- 4 (A) designated as a wilderness study area;
- 5 (B) administratively classified as—
- 6 (i) wilderness-eligible; or
- 7 (ii) wilderness-suitable; or
- 8 (C) a primitive or semiprimitive area;
- 9 (4) a national monument, national volcanic
 10 monument, or national scenic area; or
- 11 (5) a component of the National Wild and Sce-
 12 nic Rivers System (including areas designated for
 13 study for potential addition to the National Wild
 14 and Scenic Rivers System).

15 **TITLE XV—IDENTIFYING ACCESS**
 16 **TO OPPORTUNITIES**

17 **SEC. 1501. IDENTIFYING OPPORTUNITIES FOR RECRE-**
 18 **ATION, HUNTING, AND FISHING ON FEDERAL**
 19 **LAND.**

20 (a) DEFINITIONS.—In this title:

- 21 (1) SECRETARY.—The term “Secretary”
 22 means—
- 23 (A) the Secretary, with respect to land ad-
 24 ministered by—

- 1 (i) the Director of the National Park
2 Service;
3 (ii) the Director of the United States
4 Fish and Wildlife Service; and
5 (iii) the Director of the Bureau of
6 Land Management; and
7 (B) the Secretary of Agriculture, with re-
8 spect to land administered by the Chief of the
9 Forest Service.

10 (2) STATE OR REGIONAL OFFICE.—The term
11 “State or regional office” means—

- 12 (A) a State office of the Bureau of Land
13 Management; or
14 (B) a regional office of—
15 (i) the National Park Service;
16 (ii) the United States Fish and Wild-
17 life Service; or
18 (iii) the Forest Service.

19 (3) TRAVEL MANAGEMENT PLAN.—The term
20 “travel management plan” means a plan for the
21 management of travel—

- 22 (A) with respect to land under the jurisdic-
23 tion of the National Park Service, on park
24 roads and designated routes under section 4.10

1 of title 36, Code of Federal Regulations (or suc-
2 cessor regulations);

3 (B) with respect to land under the jurisdic-
4 tion of the United States Fish and Wildlife
5 Service, on the land under a comprehensive con-
6 servation plan prepared under section 4(e) of
7 the National Wildlife Refuge System Adminis-
8 tration Act of 1966 (16 U.S.C. 668dd(e));

9 (C) with respect to land under the jurisdic-
10 tion of the Forest Service, on National Forest
11 System land under part 212 of title 36, Code
12 of Federal Regulations (or successor regula-
13 tions); and

14 (D) with respect to land under the jurisdic-
15 tion of the Bureau of Land Management, under
16 a resource management plan developed under
17 the Federal Land Policy and Management Act
18 of 1976 (43 U.S.C. 1701 et seq.).

19 (b) PRIORITY LISTS REQUIRED.—

20 (1) IN GENERAL.—Not later than 1 year after
21 the date of enactment of this Act, and biennially
22 thereafter during the 10-year period beginning on
23 the date on which the first priority list is completed,
24 the Secretary shall prepare a priority list, to be
25 made publicly available on the website of the appli-

1 cable Federal agency referred to in subsection
2 (a)(1), which shall identify the location and acreage
3 of land within the jurisdiction of each State or re-
4 gional office on which the public is allowed, under
5 Federal or State law, to hunt, fish, or use the land
6 for other recreational purposes but—

7 (A) to which there is no public access or
8 egress; or

9 (B) to which public access or egress to the
10 legal boundaries of the land is significantly re-
11 stricted (as determined by the Secretary).

12 (2) MINIMUM SIZE.—Any land identified under
13 paragraph (1) shall consist of contiguous acreage of
14 at least 640 acres.

15 (3) CONSIDERATIONS.—In preparing the pri-
16 ority list required under paragraph (1), the Sec-
17 retary shall consider with respect to the land—

18 (A) whether access is absent or merely re-
19 stricted, including the extent of the restriction;

20 (B) the likelihood of resolving the absence
21 of or restriction to public access;

22 (C) the potential for recreational use;

23 (D) any information received from the
24 public or other stakeholders during the nomina-
25 tion process described in paragraph (5); and

1 (E) any other factor as determined by the
2 Secretary.

3 (4) ADJACENT LAND STATUS.—For each parcel
4 of land on the priority list, the Secretary shall in-
5 clude in the priority list whether resolving the issue
6 of public access or egress to the land would require
7 acquisition of an easement, right-of-way, or fee title
8 from—

9 (A) another Federal agency;

10 (B) a State, local, or tribal government; or

11 (C) a private landowner.

12 (5) NOMINATION PROCESS.—In preparing a pri-
13 ority list under this title, the Secretary shall provide
14 an opportunity for members of the public to nomi-
15 nate parcels for inclusion on the priority list.

16 (c) ACCESS OPTIONS.—With respect to land included
17 on a priority list described in subsection (b), the Secretary
18 shall develop and submit to the Committees on Appropria-
19 tions and Energy and Natural Resources of the Senate
20 and the Committees on Appropriations and Natural Re-
21 sources of the House of Representatives a report on op-
22 tions for providing access that—

23 (1) identifies how public access and egress
24 could reasonably be provided to the legal boundaries

1 of the land in a manner that minimizes the impact
2 on wildlife habitat and water quality;

3 (2) specifies the steps recommended to secure
4 the access and egress, including acquiring an ease-
5 ment, right-of-way, or fee title from a willing owner
6 of any land that abuts the land or the need to co-
7 ordinate with State land management agencies or
8 other Federal, State, or tribal governments to allow
9 for such access and egress; and

10 (3) is consistent with the travel management
11 plan in effect on the land.

12 (d) PROTECTION OF PERSONALLY IDENTIFYING IN-
13 FORMATION.—In making the priority list and report pre-
14 pared under subsections (b) and (c) available, the Sec-
15 retary shall ensure that no personally identifying informa-
16 tion is included, such as names or addresses of individuals
17 or entities.

18 (e) WILLING OWNERS.—For purposes of providing
19 any permits to, or entering into agreements with, a State,
20 local, or tribal government or private landowner with re-
21 spect to the use of land under the jurisdiction of the gov-
22 ernment or landowner, the Secretary shall not take into
23 account whether the State, local, or tribal government or
24 private landowner has granted or denied public access or
25 egress to the land.

1 (f) MEANS OF PUBLIC ACCESS AND EGRESS IN-
 2 CLUDED.—In considering public access and egress under
 3 subsections (b) and (c), the Secretary shall consider public
 4 access and egress to the legal boundaries of the land de-
 5 scribed in those subsections, including access and egress—

6 (1) by motorized or non-motorized vehicles; and

7 (2) on foot or horseback.

8 (g) EFFECT.—

9 (1) IN GENERAL.—This section shall have no
 10 effect on whether a particular recreational use shall
 11 be allowed on the land included in a priority list
 12 under this title.

13 (2) EFFECT OF ALLOWABLE USES ON AGENCY
 14 CONSIDERATION.—In preparing the priority list
 15 under subsection (b), the Secretary shall only con-
 16 sider recreational uses that are allowed on the land
 17 at the time that the priority list is prepared.

18 **TITLE XVI—FILM CREWS**

19 **SEC. 1601. COMMERCIAL FILMING.**

20 (a) IN GENERAL.—Section 1 of Public Law 106–206
 21 (16 U.S.C. 460l–6d) is amended—

22 (1) by redesignating subsections (a) through (f)
 23 as subsections (b) through (g), respectively;

24 (2) by inserting before subsection (b) (as so re-
 25 designated) the following:

1 “(a) DEFINITION OF SECRETARY.—The term ‘Sec-
 2 retary’ means the Secretary of the Interior or the Sec-
 3 retary of Agriculture, as applicable, with respect to land
 4 under the respective jurisdiction of the Secretary.”;

5 (3) in subsection (b) (as so redesignated)—

6 (A) in paragraph (1)—

7 (i) in the first sentence—

8 (I) by striking “of the Interior or
 9 the Secretary of Agriculture (here-
 10 after individually referred to as the
 11 ‘Secretary’ with respect to land (ex-
 12 cept land in a System unit as defined
 13 in section 100102 of title 54, United
 14 States Code) under their respective
 15 jurisdictions)”; and

16 (II) by striking “or similar
 17 projects”;

18 (ii) in subparagraph (A), by striking
 19 “or similar project”; and

20 (iii) in subparagraph (B), by inserting
 21 “, except in the case of film crews of three
 22 or fewer individuals” before the period at
 23 the end; and

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

1 “(3) FEE SCHEDULE.—Not later than 180 days
2 after the date of enactment of the Sportsmen’s Act,
3 to enhance consistency in the management of Fed-
4 eral land, the Secretaries shall publish a single joint
5 land use fee schedule for commercial filming and
6 still photography.”;

7 (4) in subsection (c) (as so redesignated), in the
8 second sentence, by striking “subsection (a)” and in-
9 serting “subsection (b)”;

10 (5) in subsection (d) (as so redesignated), in
11 the heading, by inserting “Commercial” before
12 “Still”;

13 (6) in paragraph (1) of subsection (f) (as so re-
14 designated), by inserting “in accordance with the
15 Federal Lands Recreation Enhancement Act (16
16 U.S.C. 6801 et seq.),” after “without further appro-
17 priation,”;

18 (7) in subsection (g) (as so redesignated)—

19 (A) by striking “The Secretary shall” and
20 inserting the following:

21 “(1) IN GENERAL.—The Secretary shall”; and

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

23 “(2) CONSIDERATIONS.—The Secretary shall
24 not consider subject matter or content as a criterion

1 for issuing or denying a permit under this Act.”;
2 and

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

4 “(h) EXEMPTION FROM COMMERCIAL FILMING OR
5 STILL PHOTOGRAPHY PERMITS AND FEES.—The Sec-
6 retary shall not require persons holding commercial use
7 authorizations or special recreation permits to obtain an
8 additional permit or pay a fee for commercial filming or
9 still photography under this Act if the filming or photog-
10 raphy conducted is—

11 “(1) incidental to the permitted activity that is
12 the subject of the commercial use authorization or
13 special recreation permit; and

14 “(2) the holder of the commercial use author-
15 ization or special recreation permit is an individual
16 or small business concern (within the meaning of
17 section 3 of the Small Business Act (15 U.S.C.
18 632)).

19 “(i) EXCEPTION FROM CERTAIN FEES.—Commercial
20 filming or commercial still photography shall be exempt
21 from fees under this Act, but not from recovery of costs
22 under subsection (c), if the activity—

23 “(1) is conducted by an entity that is a small
24 business concern (within the meaning of section 3 of
25 the Small Business Act (15 U.S.C. 632));

1 “(2) is conducted by a crew of not more than
2 3 individuals; and

3 “(3) uses only a camera and tripod.

4 “(j) APPLICABILITY TO NEWS GATHERING ACTIVI-
5 TIES.—

6 “(1) IN GENERAL.—News gathering shall not
7 be considered a commercial activity.

8 “(2) INCLUDED ACTIVITIES.—In this sub-
9 section, the term ‘news gathering’ includes, at a
10 minimum, the gathering, recording, and filming of
11 news and information related to news in any me-
12 dium.”.

13 (b) CONFORMING AMENDMENTS.—Chapter 1009 of
14 title 54, United States Code, is amended—

15 (1) by striking section 100905; and

16 (2) in the table of sections for chapter 1009 of
17 title 54, United States Code, by striking the item re-
18 lating to section 100905.

19 **TITLE XVII—BOWS IN PARKS**

20 **SEC. 1701. BOWS IN PARKS.**

21 (a) IN GENERAL.—Chapter 1049 of title 54, United
22 States Code, is amended by adding at the end the fol-
23 lowing:

1 **“§ 104908. Bows in parks**

2 “(a) DEFINITION OF NOT READY FOR IMMEDIATE
3 USE.—The term ‘not ready for immediate use’ means—

4 “(1) a bow or crossbow, the arrows of which are
5 secured or stowed in a quiver or other arrow trans-
6 port case; and

7 “(2) with respect to a crossbow, uncocked.

8 “(b) VEHICULAR TRANSPORTATION AUTHORIZED.—
9 The Director shall not promulgate or enforce any regula-
10 tion that prohibits an individual from transporting bows
11 and crossbows that are not ready for immediate use across
12 any System unit in the vehicle of the individual if—

13 “(1) the individual is not otherwise prohibited
14 by law from possessing the bows and crossbows;

15 “(2) the bows or crossbows that are not ready
16 for immediate use remain inside the vehicle of the
17 individual throughout the period during which the
18 bows or crossbows are transported across System
19 land; and

20 “(3) the possession of the bows and crossbows
21 is in compliance with the law of the State in which
22 the System unit is located.”.

23 (b) CLERICAL AMENDMENT.—The table of sections
24 for chapter 1049 of title 54, United States Code, is

1 amended by inserting after the item relating to section
2 104907 the following:

“104908. Bows in parks.”.

3 **TITLE XVIII—WILDLIFE MAN-**
4 **AGEMENT USING VOLUNTEER**
5 **HUNTERS**

6 **SEC. 1801. WILDLIFE MANAGEMENT IN PARKS.**

7 (a) IN GENERAL.—Chapter 1049 of title 54, United
8 States Code (as amended by section 1701(a)), is amended
9 by adding at the end the following:

10 **“§ 104909. Wildlife management in parks**

11 “(a) USE OF QUALIFIED VOLUNTEERS.—If the Sec-
12 retary determines it is necessary to reduce the size of a
13 wildlife population on System land in accordance with ap-
14 plicable law (including regulations), the Secretary may use
15 qualified volunteers to assist in carrying out wildlife man-
16 agement on System land.

17 “(b) REQUIREMENTS FOR QUALIFIED VOLUN-
18 TEERS.—Qualified volunteers providing assistance under
19 subsection (a) shall be subject to—

20 “(1) any training requirements or qualifications
21 established by the Secretary; and

22 “(2) any other terms and conditions that the
23 Secretary may require.

24 “(c) DONATIONS.—The Secretary may authorize the
25 donation and distribution of meat from wildlife manage-

1 ment activities carried out under this section, including
 2 the donation and distribution to Indian tribes, qualified
 3 volunteers, food banks, and other organizations that work
 4 to address hunger, in accordance with applicable health
 5 guidelines and such terms and conditions as the Secretary
 6 may require.”.

7 (b) CLERICAL AMENDMENT.—The table of sections
 8 for chapter 1049 of title 54 (as amended by section
 9 1701(b)), United States Code, is amended by inserting
 10 after the item relating to section 104908 the following:

“104909. Wildlife management in parks.”.

11 **TITLE XIX—RESPECT FOR** 12 **TREATIES AND RIGHTS**

13 **SEC. 1901. RESPECT FOR TREATIES AND RIGHTS.**

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

17 **TITLE XX—NO PRIORITY OVER** 18 **OTHER USES**

19 **SEC. 2001. NO PRIORITY.**

20 Nothing in this Act or the amendments made by this
 21 Act provides a preference to hunting, fishing, or rec-
 22 reational shooting over any other use of Federal land or
 23 water.

1 **TITLE XXI—STATE AUTHORITY**
2 **FOR FISH AND WILDLIFE**

3 **SEC. 2101. STATE AUTHORITY FOR FISH AND WILDLIFE.**

4 Nothing in this Act—

5 (1) authorizes the Secretary of Agriculture or
6 the Secretary to require Federal licenses or permits
7 to hunt and fish on Federal land; or

8 (2) enlarges or diminishes the responsibility or
9 authority of States with respect to fish and wildlife
10 management.

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