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Testimony on

H.R. 1825 "RECREATIONAL FISHING AND HUNTING HERITAGE AND OPPORTUNITIES ACT"  
May 9, 2013

Before the

SUBCOMMITTEE ON NATIONAL PARKS, FORESTS, AND PUBLIC LANDS  
COMMITTEE ON NATURAL RESOURCES

Mr. Chairman, the National Rifle Association (NRA) appreciates the invitation to testify today on legislation that is critical to securing the future of our hunting, fishing, and recreational shooting heritage on Federal public lands. The NRA endorses H.R.1825 as we did in September 2011 when this Subcommittee held a hearing on the predecessor bill, H.R. 2834.

Just slightly over a year ago, H.R. 2834 passed the House of Representatives by a substantial margin as part of the Sportsmen's Heritage Act. Those voting against the bill listened to opponents who argued that the legislation would open the door to prohibited activities like motorized recreation and road construction on lands designated as wilderness. While nothing in H.R. 2834 amended the Wilderness Act, Congressman Benishek has added language to H.R. 1825 making that crystal clear.

Equally specious were arguments that H.R. 2834 would open national parks or other units of the National Park System to public uses not authorized by Congress. Although H.R. 2834 would not have opened the Park System to unauthorized uses, Congressman Benishek has nevertheless included language in H.R.1825 that states "Nothing in this Act shall affect or modify management or use of units of the National Park System."

This should assure the anti-hunting critics of the original bill, that neither H.R. 2834 nor the newly introduced H.R. 1825 is a veiled attempt to allow currently prohibited or unauthorized uses of Federal public lands. The new language should clear the way for even greater support in the House of Representatives and remove the same obstacles that were placed before it in the Senate in the last Congress.

Of importance to the NRA is what the bill will do to secure the future for sportsmen and women on our Federal public lands.

H.R. 1825 accomplishes a number of important objectives:

- It recognizes the rightful place of hunting, fishing and recreational shooting on Federal public lands.
- It recognizes the importance of these activities to our system of scientifically managed wildlife.
- It directs the Bureau of Land Management (BLM) and the US Forest Service (USFS) to provide for hunting, fishing and recreational shooting opportunities within specified guidelines.
- It affirms by statute the existing “open unless closed policy” for hunting, fishing and recreational shooting on BLM and USFS lands.
- It ensures that these legitimate and traditional public uses are responsibly addressed in land management plans.
- It supports Executive Order 13443 titled “Facilitation of Hunting Heritage and Wildlife Conservation” that directs the relevant Federal agencies to “facilitate the expansion and enhancement of hunting opportunities and the management of game species and their habitat.”
- It removes barriers to providing safe and responsible public use of Federal lands.
- It restores Congressional intent in laws related to hunting and wildlife conservation that court rulings have misconstrued.

H.R. 1825 provides the security we need. It will encourage proactive management of hunting, fishing and recreational shooting and it will prevent sudden and arbitrary closures of public lands to sportsmen and women. BLM and USFS land managers will not be able to restrict or close land to hunting, fishing, or recreational shooting unless it is determined that the action is necessary and reasonable, supported by sound science and advanced through a transparent public process. This removes bias and personal agendas from the Federal management of legitimate and traditional public uses.

The NRA has long been involved in issues related to sportsmen’s access to our Federal public lands. Beginning in 1996, the NRA has chaired a Roundtable of representatives from the BLM, USFS, Fish and Wildlife Service (FWS) and national hunting, wildlife conservation, and shooting sports organizations. The Roundtable was created by a Memorandum of Understanding for the purpose of resolving issues and enhancing opportunities related to hunting, fishing and

recreational shooting. Fifteen years of experience has clearly defined what is achievable by working with our Federal agency partners and what can only be achieved through legislation, specifically through passage of H.R.1825.

Land management plans guide decisions on how Federal land is managed for at least 15 years into the future and are only changed through plan amendments. Most often these plans are silent about the impacts of various management scenarios on hunting, fishing and recreational shooting. It is a public process that is not transparent to sportsmen and women. Large sections of public land and well-travelled roads can be closed without regard to the impact on the displaced hunter, angler or shooter.

H.R. 1825 guarantees sportsmen and women their rightful place on their Federal public lands now and into the future. It requires that the effects of management plans on opportunities to engage in hunting, fishing and recreational shooting be evaluated.

Americans need places to target shoot. In much of the West, the only places for informal shooting are found on BLM and USFS lands. Informal shooting sites that were once in remote locations are now being threatened by encroaching development and conflict with growing numbers of recreationists. It is critical that recreational shooting be addressed in land management plans in order to identify and preserve areas where safe shooting can occur.

However, the BLM and the USFS both claim that they are unable to designate such areas because it imposes an undue liability against the United States in spite of the fact that recreational shooting has a record of being one of the safest activities on Federal public lands. This has resulted in unwarranted roadblocks to the development of shooting ranges and to designation of safe shooting areas. H.R. 1825 removes these roadblocks by removing the (perceived) liability issue.

H.R 1825 retains an important provision of the earlier bill with respect to reporting requirements. The Federal land managers have to demonstrate coordination with the affected state fish and wildlife agency before closing, withdrawing, changing a classification or the management status of 640 or more contiguous acres. It is important to have state involvement because Federal land closures and restrictions transfer the management responsibility to the state to provide for the needs of the displaced recreating public.

H.R. 1825 removes a land management planning requirement that could close suitable forest lands to hunting, fishing and recreational shooting if adjacent state other Federal lands also provide for these public uses. The effect of such a requirement is to unnecessarily and

unreasonably close public land to the public and at that same time, burden the states with the Federal agencies' responsibilities for providing recreational opportunities.

The NRA supports language ensuring that the designation of Federal land as wilderness, wilderness study areas, primitive and semi-primitive areas under the management of the BLM and USFS cannot, by designation alone, close such lands to hunting, fishing and recreational shooting. H.R. 1825 also makes an important statement that the primary purpose for which a unit of Federal land was established guides its management and that wilderness overlay cannot materially interfere or hinder that guidance.

And lastly, the NRA supports language that reinforces Congressional intent in the National Wildlife Refuge Improvement Act requiring hunting and fishing programs to be compatible with the purposes for which the specific refuge was established and with the mission and purposes of the National Wildlife Refuge System. Litigation by anti-hunting organizations and a subsequent court ruling resulted in an additional layer of analysis being imposed upon the agency.

This additional layer of review is unnecessary and costly to the FWS which is already struggling with huge backlogs in operation and maintenance needs within the Refuge System. The compatibility test provides sufficient assurance that hunting and fishing programs will not have adverse environmental impacts. The only desire of the plaintiffs was to find some other means of grinding to a halt the FWS' ability to open refuges to hunting and fishing and enhancing existing programs.

In conclusion, the NRA wholeheartedly supports H.R. 1825 because it legislatively recognizes the legitimate and traditional activities of hunting, fishing and recreational shooting on Federal public lands. It safeguards these activities from prejudicial and discriminatory treatment. It requires the Federal land manager to be proactive in managing these activities through the land management planning process. It makes administrative decisions that close or significantly restrict these activities to be anchored in a transparent public process and removes administrative and judicial roadblocks that obstruct sound and responsible management of recreation and wildlife resources.

The NRA looks forward to early passage of the bill in Committee and in the House of Representatives and that in this year it will be signed into law.

Thank you, again, for the opportunity to testify on H.R.1825.

