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(Original Signature of Member)

115TH CONGRESS  
1ST SESSION

# H. R. 3668

To provide for the preservation of sportsmen's heritage and enhance recreation opportunities on Federal land, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

Mr. DUNCAN of South Carolina introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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## A BILL

To provide for the preservation of sportsmen's 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.**

4       This Act may be cited as the "Sportsmen's Heritage  
5       and Recreational Enhancement Act" or the "SHARE".  
6       Act.

7       **SEC. 2. TABLE OF CONTENTS.**

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

- Sec. 1. Short title.
- Sec. 2. Table of contents.

TITLE I—FISHING PROTECTION ACT

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

TITLE II—TARGET PRACTICE AND MARKSMANSHIP TRAINING  
SUPPORT ACT

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

TITLE III—RECREATIONAL LANDS SELF-DEFENSE ACT

- Sec. 301. Short title.
- Sec. 302. Protecting Americans from violent crime.

TITLE IV—RECREATIONAL FISHING AND HUNTING HERITAGE  
OPPORTUNITIES ACT

- Sec. 401. Short title.
- Sec. 402. Definitions.
- Sec. 403. Recreational fishing, hunting, and shooting.
- Sec. 404. Volunteer Hunters; Reports; Closures and Restrictions.

TITLE V—FARMER AND HUNTER PROTECTION ACT

- Sec. 501. Short title.
- Sec. 502. Baiting of migratory game birds.

TITLE VI—TRANSPORTING BOWS ACROSS NATIONAL PARK  
SERVICE LANDS

- Sec. 601. Short title.
- Sec. 602. Bowhunting opportunity and wildlife stewardship.

TITLE VII—RESPECT FOR TREATIES AND RIGHTS

- Sec. 701. Respect for treaties and rights.

TITLE VIII—STATE APPROVAL OF FISHING RESTRICTION

- Sec. 801. State or territorial approval of restriction of recreational or commercial fishing access to certain State or territorial waters.

TITLE IX—OPEN BOOK ON EQUAL ACCESS TO JUSTICE

- Sec. 901. Short title.
- Sec. 902. Modification of equal access to justice provisions.

TITLE X—GOOD SAMARITAN SEARCH AND RECOVERY

- Sec. 1001. Short title.
- Sec. 1002. Expedited access to certain Federal land.

TITLE XI—INTERSTATE TRANSPORTATION OF FIREARMS OR  
AMMUNITION

Sec. 1101. Interstate transportation of firearms or ammunition.

TITLE XII—POLAR BEAR CONSERVATION AND FAIRNESS ACT

Sec. 1201. Short title.

Sec. 1202. Permits for importation of polar bear trophies taken in sport hunts  
in Canada.

TITLE XIII—NORTH AMERICAN WETLANDS CONSERVATION  
EXTENSION

Sec. 1301. Short title.

Sec. 1302. Authorization of appropriations.

Sec. 1303. Limitation on expenditures for purchase of land.

Sec. 1304. Enhanced report on expenditures.

TITLE XIV—GRAY WOLVES

Sec. 1401. Reissuance of final rules relating to gray wolves in the Western  
Great Lakes and the State of Wyoming.

TITLE XV—HEARING PROTECTION

Sec. 1501. Short title.

Sec. 1502. Equal treatment of silencers and firearms.

Sec. 1503. Treatment of certain silencers.

Sec. 1504. Preemption of certain State laws in relation to firearm silencers.

Sec. 1505. Destruction of records.

Sec. 1506. Amendments to title 18, United States Code.

Sec. 1507. Imposition of tax on firearm silencers or firearm mufflers.

TITLE XVI—LAWFUL PURPOSE AND SELF-DEFENSE

Sec. 1601. Short title.

Sec. 1602. Elimination of authority to reclassify popular rifle ammunition as  
“armor piercing ammunition”.

Sec. 1603. Elimination of restrictions on importation of non-National Firearms  
Act firearm or ammunition that may otherwise be lawfully pos-  
sessed and sold in the United States.

Sec. 1604. Protection of shotguns, shotgun shells, and large caliber rifles from  
arbitrary classification as “destructive devices”.

Sec. 1605. Broadening of the temporary interstate transfer provision to allow  
temporary transfers for all lawful purposes rather than just for  
“sporting purposes”.

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

Sec. 1701. Short title.

Sec. 1702. Federal Land Transaction Facilitation Act.

TITLE XVIII—FILM CREWS

Sec. 1801. Annual permit and fee for film crews of 5 persons or fewer.

TITLE XIX—RESPECT FOR STATE WILDLIFE MANAGEMENT  
AUTHORITY

Sec. 1901. Authority of the States.

Sec. 1902. Federal Licenses.

Sec. 1903. Cooperation with State Fish and Wildlife Agencies on Management  
Plans.

1 **TITLE I—FISHING PROTECTION**  
2 **ACT**

3 **SEC. 101. SHORT TITLE.**

4 This title may be cited as the “Fishing Protection  
5 Act”.

6 **SEC. 102. MODIFICATION OF DEFINITION.**

7 Section 3(2)(B) of the Toxic Substances Control Act  
8 (15 U.S.C. 2602(2)(B)) is amended—

9 (1) in clause (v), by striking “and” at the end;

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

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

13 “(vii) any sport fishing equipment (as such  
14 term is defined in subsection (a) of section 4162 of  
15 the Internal Revenue Code of 1986) the sale of  
16 which is subject to the tax imposed by section  
17 4161(a) of such Code (determined without regard to  
18 any exemptions from such tax as provided by section  
19 4162 or 4221 or any other provision of such Code),  
20 and sport fishing equipment components.”.

1 **SEC. 103. LIMITATION ON AUTHORITY TO REGULATE AM-**  
2 **MUNITION AND FISHING TACKLE.**

3 Except as provided in section 20.21 of title 50, Code  
4 of Federal Regulations, as in effect on the date of the en-  
5 actment of this Act, or any substantially similar successor  
6 regulation thereto, the Secretary of the Interior, the Sec-  
7 retary of Agriculture, and any bureau, service, or office  
8 of the Department of the Interior or the Department of  
9 Agriculture, may not regulate the use of ammunition car-  
10 tridges, ammunition components, or fishing tackle based  
11 on the lead content thereof if such use is in compliance  
12 with the law of the State in which the use occurs.

13 **TITLE II—TARGET PRACTICE**  
14 **AND MARKSMANSHIP TRAIN-**  
15 **ING SUPPORT ACT**

16 **SEC. 201. SHORT TITLE.**

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

19 **SEC. 202. DEFINITION OF PUBLIC TARGET RANGE.**

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

- 22 (1) is identified by a governmental agency for  
23 recreational shooting;
- 24 (2) is open to the public;
- 25 (3) may be supervised; and

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

3 **SEC. 203. AMENDMENTS TO PITTMAN-ROBERTSON WILD-**  
4 **LIFE RESTORATION ACT.**

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

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

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

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

16 “(B) is open to the public;

17 “(C) may be supervised; and

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

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

24 (1) by striking “(b) Each State” and inserting  
25 the following:

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

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

5           (2) in paragraph (1) (as so designated), by  
6 striking “construction, operation,” and inserting  
7 “operation”;

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

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

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

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

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

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

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

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

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

10           (2) by striking subsection (b) and inserting the  
11 following:

12           “(b) COST SHARING.—

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

18           “(2) PUBLIC TARGET RANGE CONSTRUCTION OR  
19 EXPANSION.—The Federal share of the cost of ac-  
20 quiring land for, expanding, or constructing a public  
21 target range in a State on Federal or non-Federal  
22 land pursuant to this section or section 8(b) shall  
23 not exceed 90 percent of the cost of the activity.”;

24 and

25           (3) in subsection (c)(1)—



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

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

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

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

13 **SEC. 204. LIMITS ON LIABILITY.**

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

22 (b) CIVIL ACTION OR CLAIMS.—Except to the extent  
23 provided in chapter 171 of title 28, United States Code,  
24 the United States shall not be subject to any civil action  
25 or claim for money damages for any injury to or loss of

1 property, personal injury, or death caused by an activity  
2 occurring at a public target range that is—

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

7 **SEC. 205. SENSE OF CONGRESS REGARDING COOPERATION.**

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

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

18 **SEC. 301. SHORT TITLE.**

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

21 **SEC. 302. PROTECTING AMERICANS FROM VIOLENT CRIME.**

22 The Secretary of the Army shall not promulgate or  
23 enforce any regulation that prohibits an individual from  
24 possessing a firearm, including a firearm that is assem-  
25 bled, loaded, and functional, at a water resources develop-

1 ment project covered under section 327.0 of title 36, Code  
2 of Federal Regulations (as in effect on the date of enact-  
3 ment of this Act), if—

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

6 (2) the possession of the firearm is in compli-  
7 ance with the law of the State in which the water  
8 resources development project is located.

9 **TITLE IV—RECREATIONAL FISH-**  
10 **ING AND HUNTING HERITAGE**  
11 **OPPORTUNITIES ACT**

12 **SEC. 401. SHORT TITLE.**

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

15 **SEC. 402. DEFINITIONS.**

16 In this title:

17 (1) **FEDERAL PUBLIC LAND.**—The term “Fed-  
18 eral public land” means any land or water that is  
19 owned and managed by the Bureau of Land Man-  
20 agement or the Forest Service.

21 (2) **FEDERAL PUBLIC LAND MANAGEMENT OF-**  
22 **FICIALS.**—The term “Federal public land manage-  
23 ment officials” means—

24 (A) the Secretary of the Interior and Di-  
25 rector of the Bureau of Land Management re-

1           garding Bureau of Land Management lands  
2           and waters; and

3                   (B) the Secretary of Agriculture and Chief  
4           of the Forest Service regarding the National  
5           Forest System.

6           (3) HUNTING.—

7                   (A) IN GENERAL.—Except as provided in  
8           subparagraph (B), the term “hunting” means  
9           use of a firearm, bow, or other authorized  
10          means in the lawful—

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

13                   (ii) attempt to pursue, shoot, capture,  
14          collect, trap, or kill wildlife; or

15                   (iii) the training of hunting dogs, in-  
16          cluding field trials.

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

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

23                   (A) pursuit, capture, collection, or killing  
24          of fish; or

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

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

6 **SEC. 403. RECREATIONAL FISHING, HUNTING, AND SHOOT-**  
7           **ING.**

8           (a) IN GENERAL.—Subject to valid existing rights  
9           and subsection (g), and cooperation with the respective  
10          State fish and wildlife agency, Federal public land man-  
11          agement officials shall exercise authority under existing  
12          law, including provisions regarding land use planning, to  
13          facilitate use of and access to Federal public lands, includ-  
14          ing National Monuments, Wilderness Areas, Wilderness  
15          Study Areas, and lands administratively classified as wil-  
16          derness eligible or suitable and primitive or semi-primitive  
17          areas, for recreational fishing, hunting, and shooting, ex-  
18          cept as limited by—

19                 (1) statutory authority that authorizes action or  
20                 withholding action for reasons of national security,  
21                 public safety, or resource conservation;

22                 (2) any other Federal statute that specifically  
23                 precludes recreational fishing, hunting, or shooting  
24                 on specific Federal public lands, waters, or units  
25                 thereof; or

1           (3) discretionary limitations on recreational  
2 fishing, hunting, and shooting determined to be nec-  
3 essary and reasonable as supported by the best sci-  
4 entific evidence and advanced through a transparent  
5 public process.

6           (b) MANAGEMENT.—Consistent with subsection (a),  
7 the head of each Federal public land management agency  
8 shall exercise its land management discretion—

9           (1) in a manner that supports and facilitates  
10 recreational fishing, hunting, and shooting opportu-  
11 nities;

12           (2) to the extent authorized under applicable  
13 State law; and

14           (3) in accordance with applicable Federal law.

15           (c) PLANNING.—

16           (1) EVALUATION OF EFFECTS ON OPPORTUNI-  
17 TIES TO ENGAGE IN RECREATIONAL FISHING, HUNT-  
18 ING, OR SHOOTING.—Federal public land planning  
19 documents, including land resources management  
20 plans, resource management plans, and comprehen-  
21 sive conservation plans, shall include a specific eval-  
22 uation of the effects of such plans on opportunities  
23 to engage in recreational fishing, hunting, or shoot-  
24 ing.

1           (2) NO MAJOR FEDERAL ACTION.—No action  
2 taken under this title, or under section 4 of the Na-  
3 tional Wildlife Refuge System Administration Act of  
4 1966 (16 U.S.C. 668dd), either individually or cu-  
5 mulatively with other actions involving Federal pub-  
6 lic lands or lands managed by the United States  
7 Fish and Wildlife Service, shall be considered under  
8 the National Environmental Policy Act of 1969 (42  
9 U.S.C. 4321 et seq.) to be a major Federal action  
10 significantly affecting the quality of the human envi-  
11 ronment, and no additional identification, analysis,  
12 or consideration of environmental effects, including  
13 cumulative effects, is necessary or required with re-  
14 spect to such an action.

15           (3) OTHER ACTIVITY NOT CONSIDERED.—Fed-  
16 eral public land management officials are not re-  
17 quired to consider the existence or availability of rec-  
18 reational fishing, hunting, or shooting opportunities  
19 on adjacent or nearby public or private lands in the  
20 planning for or determination of which Federal pub-  
21 lic lands are open for these activities or in the set-  
22 ting of levels of use for these activities on Federal  
23 public lands, unless the combination or coordination  
24 of such opportunities would enhance the recreational

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

3 (d) FEDERAL PUBLIC LANDS.—

4 (1) LANDS OPEN.—Notwithstanding any other  
5 law, lands under the jurisdiction of the Bureau of  
6 Land Management or the Forest Service, including  
7 Wilderness Areas, Wilderness Study Areas, lands  
8 designated as wilderness or administratively classi-  
9 fied as wilderness eligible or suitable and primitive  
10 or semi-primitive areas and National Monuments,  
11 but excluding lands on the Outer Continental Shelf,  
12 shall be open to recreational fishing, hunting, and  
13 shooting unless the managing Federal agency acts to  
14 close lands to such activity. Lands may be made  
15 subject to closure to or restriction on recreational  
16 fishing, hunting, or shooting if determined by the  
17 head of the agency concerned to be necessary and  
18 reasonable and supported by facts and evidence, for  
19 purposes including resource conservation, public  
20 safety, energy or mineral production, energy genera-  
21 tion or transmission infrastructure, water supply fa-  
22 cilities, protection of other permittees, protection of  
23 private property rights or interest, national security,  
24 or compliance with other law.

25 (2) SHOOTING RANGES.—



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

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

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

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

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

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

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

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

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

3 (f) REPORT.—Beginning on the second October 1  
4 after the date of the enactment of this Act and biennially  
5 on October 1 thereafter, the head of each Federal agency  
6 who has authority to manage Federal public land on which  
7 recreational fishing, hunting, or shooting occurs shall sub-  
8 mit to the Committee on Natural Resources of the House  
9 of Representatives and the Committee on Energy and  
10 Natural Resources of the Senate a report that describes—

11 (1) any Federal public land administered by the  
12 agency head that was closed to recreational fishing,  
13 hunting, or shooting at any time during the pre-  
14 ceding year; and

15 (2) the reason for the closure.

16 (g) CLOSURES OR SIGNIFICANT RESTRICTIONS OF  
17 640 OR MORE ACRES.—

18 (1) IN GENERAL.—Other than closures estab-  
19 lished or prescribed by land planning actions re-  
20 ferred to in subsection (d) or emergency closures de-  
21 scribed in paragraph (3) of this subsection, a perma-  
22 nent or temporary withdrawal, change of classifica-  
23 tion, or change of management status of Federal  
24 public land that effectively closes or significantly re-  
25 stricts 640 or more contiguous acres of Federal pub-

1       lic land to access or use for recreational fishing or  
2       hunting or activities related to recreational fishing  
3       or hunting, or both, shall take effect only if, before  
4       the date of withdrawal or change, the head of the  
5       Federal agency that has jurisdiction over the Fed-  
6       eral public land—

7               (A) publishes appropriate notice of the  
8               withdrawal or change, respectively;

9               (B) demonstrates that coordination has oc-  
10              curred with a State fish and wildlife agency;  
11              and

12              (C) submits to the Committee on Natural  
13              Resources of the House of Representatives and  
14              the Committee on Energy and Natural Re-  
15              sources of the Senate written notice of the with-  
16              drawal or change, respectively.

17              (2) AGGREGATE OR CUMULATIVE EFFECTS.—If  
18              the aggregate or cumulative effect of separate with-  
19              drawals or changes effectively closes or significantly  
20              restricts 1,280 or more acres of land or water, such  
21              withdrawals and changes shall be treated as a single  
22              withdrawal or change for purposes of paragraph (1).

23              (3) EMERGENCY CLOSURES.—Nothing in this  
24              title prohibits a Federal land management agency  
25              from establishing or implementing emergency clo-

1       sures or restrictions of the smallest practicable area  
2       to provide for public safety, resource conservation,  
3       national security, or other purposes authorized by  
4       law. Such an emergency closure shall terminate after  
5       a reasonable period of time unless converted to a  
6       permanent closure consistent with this title.

7       (h) NATIONAL PARK SERVICE UNITS NOT AF-  
8       FECTED.—Nothing in this title shall affect or modify man-  
9       agement or use of units of the National Park System.

10       (i) NO PRIORITY.—Nothing in this title requires a  
11       Federal land management agency to give preference to  
12       recreational fishing, hunting, or shooting over other uses  
13       of Federal public land or over land or water management  
14       priorities established by Federal law.

15       (j) CONSULTATION WITH COUNCILS.—In fulfilling  
16       the duties set forth in this Act, the heads of Federal agen-  
17       cies shall consult with respective advisory councils as es-  
18       tablished in Executive Order Nos. 12962 and 13443.

19       (k) AUTHORITY OF THE STATES.—

20               (1) IN GENERAL.—Nothing in this title shall be  
21       construed as interfering with, diminishing, or con-  
22       flicting with the authority, jurisdiction, or responsi-  
23       bility of any State to exercise primary management,  
24       control, or regulation of fish and wildlife under State

1 law (including regulations) on land or water within  
2 the State, including on Federal public land.

3 (2) FEDERAL LICENSES.—Nothing in this title  
4 shall be construed to authorize the head of a Federal  
5 agency to require a license, fee, or permit to fish,  
6 hunt, or trap on land or water in a State, including  
7 on Federal public land in the States, except that this  
8 paragraph shall not affect the Migratory Bird Stamp  
9 requirement set forth in the Migratory Bird Hunting  
10 and Conservation Stamp Act (16 U.S.C. 718 et  
11 seq.).

12 **SEC. 404. VOLUNTEER HUNTERS; REPORTS; CLOSURES AND**  
13 **RESTRICTIONS.**

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

15 (1) PUBLIC LAND.—The term “public land”  
16 means—

17 (A) units of the National Park System;

18 (B) National Forest System lands; and

19 (C) land and interests in land owned by  
20 the United States and under the administrative  
21 jurisdiction of—

22 (i) the Fish and Wildlife Service; or

23 (ii) the Bureau of Land Management.

24 (2) SECRETARY.—The term “Secretary”  
25 means—

1 (A) the Secretary of the Interior and in-  
2 cludes the Director of the National Park Serv-  
3 ice, with regard to units of the National Park  
4 System;

5 (B) the Secretary of the Interior and in-  
6 cludes the Director of the Fish and Wildlife  
7 Service, with regard to Fish and Wildlife Serv-  
8 ice lands and waters;

9 (C) the Secretary of the Interior and in-  
10 cludes the Director of the Bureau of Land  
11 Management, with regard to Bureau of Land  
12 Management lands and waters; and

13 (D) the Secretary of Agriculture and in-  
14 cludes the Chief of the Forest Service, with re-  
15 gard to National Forest System lands.

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

20 (b) VOLUNTEER HUNTERS.—When planning wildlife  
21 management involving reducing the size of a wildlife popu-  
22 lation on public land, the Secretary shall consider the use  
23 of and may use volunteers from the hunting community  
24 as agents to assist in carrying out wildlife management  
25 on public land. The Secretary shall not reject the use of

1 volunteers from the hunting community as agents without  
2 the concurrence of the appropriate State wildlife manage-  
3 ment authorities.

4 (c) REPORT.—Beginning on the second October 1  
5 after the date of the enactment of this Act and biennially  
6 on October 1 thereafter, the Secretary shall submit to the  
7 Committee on Natural Resources of the House of Rep-  
8 resentatives and the Committee on Energy and Natural  
9 Resources of the Senate a report that describes—

10 (1) any public land administered by the Sec-  
11 retary that was closed to fishing, hunting, and rec-  
12 reational shooting at any time during the preceding  
13 year; and

14 (2) the reason for the closure.

15 (d) CLOSURES OR SIGNIFICANT RESTRICTIONS.—

16 (1) IN GENERAL.—Other than closures estab-  
17 lished or prescribed by land planning actions re-  
18 ferred to in section 604(e) or emergency closures de-  
19 scribed in paragraph (2), a permanent or temporary  
20 withdrawal, change of classification, or change of  
21 management status of public land that effectively  
22 closes or significantly restricts any acreage of public  
23 land to access or use for fishing, hunting, rec-  
24 reational shooting, or activities related to fishing,  
25 hunting, or recreational shooting, or a combination



1 of those activities, shall take effect only if, before the  
2 date of withdrawal or change, the Secretary—

3 (A) publishes appropriate notice of the  
4 withdrawal or change, respectively;

5 (B) demonstrates that coordination has oc-  
6 curred with a State fish and wildlife agency;  
7 and

8 (C) submits to the Committee on Natural  
9 Resources of the House of Representatives and  
10 the Committee on Energy and Natural Re-  
11 sources of the Senate written notice of the with-  
12 drawal or change, respectively.

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

1 **TITLE V—FARMER AND HUNTER**  
2 **PROTECTION ACT**

3 **SEC. 501. SHORT TITLE.**

4 This title may be cited as the “Hunter and Farmer  
5 Protection Act”.

6 **SEC. 502. BAITING OF MIGRATORY GAME BIRDS.**

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

10 “(b) PROHIBITION OF BAITING.—

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

12 “(A) BAITED AREA.—

13 “(i) IN GENERAL.—The term ‘baited  
14 area’ means—

15 “(I) any area on which salt,  
16 grain, or other feed has been placed,  
17 exposed, deposited, distributed, or  
18 scattered, if the salt, grain, or feed  
19 could lure or attract migratory game  
20 birds; and

21 “(II) in the case of waterfowl,  
22 cranes (family Gruidae), and coots  
23 (family Rallidae), a standing,  
24 unharvested crop that has been ma-  
25 nipulated through activities such as

1 mowing, discing, or rolling, unless the  
2 activities are normal agricultural prac-  
3 tices.

4 “(ii) EXCLUSIONS.—An area shall not  
5 be considered to be a ‘baited area’ if the  
6 area—

7 “(I) has been treated with a nor-  
8 mal agricultural practice;

9 “(II) has standing crops that  
10 have not been manipulated; or

11 “(III) has standing crops that  
12 have been or are flooded.

13 “(B) BAITING.—The term ‘baiting’ means  
14 the direct or indirect placing, exposing, depos-  
15 iting, distributing, or scattering of salt, grain,  
16 or other feed that could lure or attract migra-  
17 tory game birds to, on, or over any areas on  
18 which a hunter is attempting to take migratory  
19 game birds.

20 “(C) MIGRATORY GAME BIRD.—The term  
21 ‘migratory game bird’ means migratory bird  
22 species—

23 “(i) that are within the taxonomic  
24 families of Anatidae, Columbidae, Gruidae,  
25 Rallidae, and Scolopacidae; and

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

3 “(D) NORMAL AGRICULTURAL PRAC-  
4 TICE.—

5 “(i) IN GENERAL.—The term ‘normal  
6 agricultural practice’ means any practice in  
7 one annual growing season that—

8 “(I) is carried out in order to  
9 produce a marketable crop, including  
10 planting, harvest, postharvest, or soil  
11 conservation practices; and

12 “(II) is recommended for the  
13 successful harvest of a given crop by  
14 the applicable State office of the Co-  
15 operative Extension System of the De-  
16 partment of Agriculture, in consulta-  
17 tion with, and if requested, the con-  
18 currence of, the head of the applicable  
19 State department of fish and wildlife.

20 “(ii) INCLUSIONS.—

21 “(I) IN GENERAL.—Subject to  
22 subclause (II), the term ‘normal agri-  
23 cultural practice’ includes the destruc-  
24 tion of a crop in accordance with  
25 practices required by the Federal

1 Crop Insurance Corporation for agri-  
2 cultural producers to obtain crop in-  
3 surance under the Federal Crop In-  
4 surance Act (7 U.S.C. 1501 et seq.)  
5 on land on which a crop during the  
6 current or immediately preceding crop  
7 year was not harvestable due to a nat-  
8 ural disaster (including any hurricane,  
9 storm, tornado, flood, high water,  
10 wind-driven water, tidal wave, tsu-  
11 nami, earthquake, volcanic eruption,  
12 landslide, mudslide, drought, fire,  
13 snowstorm, or other catastrophe that  
14 is declared a major disaster by the  
15 President in accordance with section  
16 401 of the Robert T. Stafford Dis-  
17 aster Relief and Emergency Assist-  
18 ance Act (42 U.S.C. 5170)).

19 “(II) LIMITATIONS.—The term  
20 ‘normal agricultural practice’ only in-  
21 cludes a crop described in subclause  
22 (I) that has been destroyed or manip-  
23 ulated through activities that include  
24 (but are not limited to) mowing,  
25 discing, or rolling if the Federal Crop

1 Insurance Corporation certifies that  
2 flooding was not an acceptable method  
3 of destruction to obtain crop insur-  
4 ance under the Federal Crop Insur-  
5 ance Act (7 U.S.C. 1501 et seq.).

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

8 “(2) PROHIBITION.—It shall be unlawful for  
9 any person—

10 “(A) to take any migratory game bird by  
11 baiting or on or over any baited area, if the  
12 person knows or reasonably should know that  
13 the area is a baited area; or

14 “(B) to place or direct the placement of  
15 bait on or adjacent to an area for the purpose  
16 of causing, inducing, or allowing any person to  
17 take or attempt to take any migratory game  
18 bird by baiting or on or over the baited area.

19 “(3) REGULATIONS.—The Secretary of the In-  
20 terior may promulgate regulations to implement this  
21 subsection.”.

1 **TITLE VI—TRANSPORTING BOWS**  
2 **ACROSS NATIONAL PARK**  
3 **SERVICE LANDS**

4 **SEC. 601. SHORT TITLE.**

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

7 **SEC. 602. BOWHUNTING OPPORTUNITY AND WILDLIFE**  
8 **STEWARDSHIP.**

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

12 **“§ 101513. Hunter access corridors**

13 “(a) DEFINITIONS.—In this section:

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

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

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

20 “(2) VALID HUNTING LICENSE.—The term  
21 ‘valid hunting license’ means a State-issued hunting  
22 license that authorizes an individual to hunt on pri-  
23 vate or public land adjacent to the System unit in  
24 which the individual is located while in possession of

1 a bow or crossbow that is not ready for immediate  
2 use.

3 “(b) TRANSPORTATION AUTHORIZED.—

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

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

11 “(i) the individual is not otherwise  
12 prohibited by law from possessing the bows  
13 and crossbows;

14 “(ii) the bows or crossbows are not  
15 ready for immediate use throughout the  
16 period during which the bows or crossbows  
17 are transported across the System unit;

18 “(iii) the possession of the bows and  
19 crossbows is in compliance with the law of  
20 the State in which the System unit is lo-  
21 cated; and

22 “(iv)(I) the individual possesses a  
23 valid hunting license;

24 “(II) the individual is traversing  
25 the System unit en route to a hunting



1 access corridor established under sub-  
2 section (c)(1); or

3 “(III) the individual is traversing  
4 the System unit in compliance with  
5 any other applicable regulations or  
6 policies; or

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

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

13 “(c) ESTABLISHMENT OF HUNTER ACCESS COR-  
14 RIDORS.—

15 “(1) IN GENERAL.—On a determination by the  
16 Director under paragraph (2), the Director may es-  
17 tablish and publish (in accordance with section 1.5  
18 of title 36, Code of Federal Regulations (or a suc-  
19 cessor regulation)), on a publicly available map,  
20 hunter access corridors across System units that are  
21 used to access public land that is—

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

23 “(B) open to hunting.

24 “(2) DETERMINATION BY DIRECTOR.—The de-  
25 termination referred to in paragraph (1) is a deter-

1       mination that the hunter access corridor would pro-  
2       vide wildlife management or visitor experience bene-  
3       fits within the boundary of the System unit in which  
4       the hunter access corridor is located.

5           “(3) HUNTING SEASON.—The hunter access  
6       corridors shall be open for use during hunting sea-  
7       sons.

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

16          “(5) IDENTIFICATION OF CORRIDORS.—The Di-  
17      rector shall—

18           “(A) make information regarding hunter  
19      access corridors available on the individual  
20      website of the applicable System unit; and

21           “(B) provide information regarding any  
22      processes established by the Director for trans-  
23      porting legally taken game through individual  
24      hunter access corridors.

1           “(6) REGISTRATION; TRANSPORTATION OF  
2 GAME.—The Director may—

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

6           “(B) provide a process for online self-reg-  
7 istration; and

8           “(C) allow nonmotorized conveyances to  
9 transport legally taken game through a hunter  
10 access corridor established under this sub-  
11 section, including game carts and sleds.

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

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

17           “(1) diminishes, enlarges, or modifies any Fed-  
18 eral or State authority with respect to hunting, rec-  
19 reational shooting, or any other recreational activi-  
20 ties within the boundaries of a System unit; or

21           “(2) authorizes—

22           “(A) the establishment of new trails in  
23 System units; or

1           “(B) authorizes individuals to access areas  
2           in System units, on foot or otherwise, that are  
3           not open to such access.

4           “(e) NO MAJOR FEDERAL ACTION.—

5           “(1) IN GENERAL.—Any action taken under  
6           this section shall not be considered a major Federal  
7           action significantly affecting the quality of the  
8           human environment under the National Environ-  
9           mental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

10           “(2) NO ADDITIONAL ACTION REQUIRED.—No  
11           additional identification, analyses, or consideration  
12           of environmental effects (including cumulative envi-  
13           ronmental effects) is necessary or required with re-  
14           spect to an action taken under this section.”.

15           (b) CLERICAL AMENDMENT.—The table of sections  
16           for title 54, United States Code, is amended by inserting  
17           after the item relating to section 101512 the following:

          “101513. Hunter access corridors.”.

18           **TITLE VII—RESPECT FOR**  
19           **TREATIES AND RIGHTS**

20           **SEC. 701. RESPECT FOR TREATIES AND RIGHTS.**

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

1     **TITLE VIII—STATE APPROVAL**  
2             **OF FISHING RESTRICTION**

3     **SEC. 801. STATE OR TERRITORIAL APPROVAL OF RESTRIC-**  
4                     **TION OF RECREATIONAL OR COMMERCIAL**  
5                     **FISHING ACCESS TO CERTAIN STATE OR TER-**  
6                     **RITORIAL WATERS.**

7             (a) APPROVAL REQUIRED.—The Secretary of the In-  
8     terior and the Secretary of Commerce shall not restrict  
9     recreational or commercial fishing access to any State or  
10    territorial marine waters or Great Lakes waters within the  
11    jurisdiction of the National Park Service or the Office of  
12    National Marine Sanctuaries, respectively, unless those re-  
13    strictions are developed in coordination with, and ap-  
14    proved by, the fish and wildlife management agency of the  
15    State or territory that has fisheries management authority  
16    over those waters.

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

19             **TITLE IX—OPEN BOOK ON**  
20             **EQUAL ACCESS TO JUSTICE**

21     **SEC. 901. SHORT TITLE.**

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

1 **SEC. 902. MODIFICATION OF EQUAL ACCESS TO JUSTICE**  
2 **PROVISIONS.**

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

5 (1) in subsection (c)(1), by striking “, United  
6 States Code”;

7 (2) by redesignating subsection (f) as sub-  
8 section (h);

9 (3) by striking subsection (e); and

10 (4) by inserting after subsection (d) the fol-  
11 lowing:

12 “(e) The Chairman of the Administrative Conference  
13 of the United States shall create and maintain online a  
14 searchable database containing the following information  
15 with respect to each award of fees and other expenses  
16 under this section:

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

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

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

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

26 “(5) The amount of the award.

1           “(6) The basis for the finding that the position  
2           of the agency concerned was not substantially justi-  
3           fied.

4           “(f) The online searchable database described in sub-  
5           section (e) may not reveal any information the disclosure  
6           of which is prohibited by law or court order.

7           “(g) The head of each agency shall provide to the  
8           Chairman of the Administrative Conference of the United  
9           States, no later than 60 days following the Chairman’s  
10          request, all information requested by the Chairman to  
11          comply with the requirements of subsections (e) and (f).”.

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

15                 “(5) The Chairman of the Administrative Con-  
16                 ference shall create and maintain online a searchable  
17                 database containing the following information with  
18                 respect to each award of fees and other expenses  
19                 under this section:

20                         “(A) The case name and number.

21                         “(B) The name of the agency involved in  
22                         the case.

23                         “(C) The name of each party to whom the  
24                         award was made, as such party is identified in

1 the order or other court document making the  
2 award.

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

5 “(E) The amount of the award.

6 “(F) The basis for the finding that the po-  
7 sition of the agency concerned was not substan-  
8 tially justified.

9 “(6) The online searchable database described  
10 in paragraph (5) may not reveal any information the  
11 disclosure of which is prohibited by law or court  
12 order.

13 “(7) The head of each agency (including the  
14 Attorney General of the United States) shall provide  
15 to the Chairman of the Administrative Conference of  
16 the United States, no later than 60 days following  
17 the Chairman’s request, all information requested by  
18 the Chairman to comply with the requirements of  
19 paragraphs (5) and (6).”.

20 (c) CLERICAL AMENDMENTS.—Section 2412 of title  
21 28, United States Code, is amended—

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

24 (2) in subsection (e)—



1 (A) by striking “of section 2412 of title  
2 28, United States Code,” and inserting “of this  
3 section”; and

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

6 (d) EFFECTIVE DATE.—

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

11 (2) ONLINE DATABASES.—The online databases  
12 required by section 504(e) of title 5, United States  
13 Code, and section 2412(d)(5) of title 28, United  
14 States Code, shall be established as soon as prac-  
15 ticable after the date of the enactment of this Act,  
16 but in no case later than 1 year after the date of  
17 the enactment of this Act.

## 18 **TITLE X—GOOD SAMARITAN**

### 19 **SEARCH AND RECOVERY**

#### 20 **SEC. 1001. SHORT TITLE.**

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

#### 23 **SEC. 1002. EXPEDITED ACCESS TO CERTAIN FEDERAL** 24 **LAND.**

25 (a) DEFINITIONS.—In this section:

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

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

5                   (B) composed entirely of members who, at  
6           the time of the good Samaritan search-and-re-  
7           covery mission, have attained the age of major-  
8           ity under the law of the State where the mis-  
9           sion takes place.

10          (2) GOOD SAMARITAN SEARCH-AND-RECOVERY  
11          MISSION.—The term “good Samaritan search-and-  
12          recovery mission” means a search conducted by an  
13          eligible organization or individual for 1 or more  
14          missing individuals believed to be deceased at the  
15          time that the search is initiated.

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

19          (b) PROCESS.—

20               (1) IN GENERAL.—Each Secretary shall develop  
21               and implement a process to expedite access to Fed-  
22               eral land under the administrative jurisdiction of the  
23               Secretary for eligible organizations and individuals  
24               to request access to Federal land to conduct good  
25               Samaritan search-and-recovery missions.

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

4                   (A) an eligible organization or individual  
5                   granted access under this section—

6                           (i) shall be acting for private pur-  
7                           poses; and

8                           (ii) shall not be considered to be a  
9                           Federal volunteer;

10                   (B) an eligible organization or individual  
11                   conducting a good Samaritan search-and-recov-  
12                   ery mission under this section shall not be con-  
13                   sidered to be a volunteer under section  
14                   102301(e) of title 54, United States Code;

15                   (C) chapter 171 of title 28, United States  
16                   Code (commonly known as the “Federal Tort  
17                   Claims Act”), shall not apply to an eligible or-  
18                   ganization or individual carrying out a privately  
19                   requested good Samaritan search-and-recovery  
20                   mission under this section; and

21                   (D) chapter 81 of title 5, United States  
22                   Code (commonly known as the “Federal Em-  
23                   ployees’ Compensation Act”), shall not apply to  
24                   an eligible organization or individual conducting  
25                   a good Samaritan search-and-recovery mission

1           under this section, and the conduct of the good  
2           Samaritan search-and-recovery mission shall  
3           not constitute civilian employment.

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

9           (1) acknowledges and consents, in writing, to  
10          the provisions described in subparagraphs (A)  
11          through (D) of subsection (b)(2); and

12          (2) signs a waiver releasing the Federal Gov-  
13          ernment from all liability relating to the access  
14          granted under this section and agrees to indemnify  
15          and hold harmless the United States from any  
16          claims or lawsuits arising from any conduct by the  
17          eligible organization or individual on Federal land.

18          (d) APPROVAL AND DENIAL OF REQUESTS.—

19          (1) IN GENERAL.—The Secretary shall notify  
20          an eligible organization or individual of the approval  
21          or denial of a request by the eligible organization or  
22          individual to carry out a good Samaritan search-  
23          and-recovery mission under this section by not later  
24          than 48 hours after the request is made.

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

6                   (A) the reason for the denial of the re-  
7                   quest; and

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

11          (e) PARTNERSHIPS.—Each Secretary shall develop  
12          search-and-recovery-focused partnerships with search-and-  
13          recovery organizations—

14                  (1) to coordinate good Samaritan search-and-  
15                  recovery missions on Federal land under the admin-  
16                  istrative jurisdiction of the Secretary; and

17                  (2) to expedite and accelerate good Samaritan  
18                  search-and-recovery mission efforts for missing indi-  
19                  viduals on Federal land under the administrative ju-  
20                  risdiction of the Secretary.

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

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

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

6   **TITLE XI—INTERSTATE TRANS-**  
7   **PORTATION OF FIREARMS OR**  
8   **AMMUNITION**

9   **SEC. 1101. INTERSTATE TRANSPORTATION OF FIREARMS**  
10                           **OR AMMUNITION.**

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

13   **“§ 926A. Interstate transportation of firearms or am-**  
14                           **munition**

15           “(a) Notwithstanding any provision of any law, rule,  
16 or regulation of a State or any political subdivision there-  
17 of:

18                   “(1) A person who is not prohibited by this  
19 chapter from possessing, transporting, shipping, or  
20 receiving a firearm or ammunition shall be entitled  
21 to transport a firearm for any lawful purpose from  
22 any place where the person may lawfully possess,  
23 carry, or transport the firearm to any other such  
24 place if, during the transportation, the firearm is  
25 unloaded, and—

1           “(A) if the transportation is by motor vehi-  
2           cle, the firearm is—

3                   “(i) not directly accessible from the  
4                   passenger compartment of the vehicle;

5                   “(ii) in a locked container other than  
6                   the glove compartment or console; or

7                   “(iii) secured by a secure gun storage  
8                   or safety device; or

9           “(B) if the transportation is by other  
10           means, the firearm is in a locked container or  
11           secured by a secure gun storage or safety de-  
12           vice.

13           “(2) A person who is not prohibited by this  
14           chapter from possessing, transporting, shipping, or  
15           receiving a firearm or ammunition shall be entitled  
16           to transport ammunition for any lawful purpose  
17           from any place where the person may lawfully pos-  
18           sess, carry, or transport the ammunition, to any  
19           other such place if, during the transportation, the  
20           ammunition is not loaded into a firearm, and—

21                   “(A) if the transportation is by motor vehi-  
22                   cle, the ammunition is—

23                   “(i) not directly accessible from the  
24                   passenger compartment of the vehicle; or

1                   “(ii) is in a locked container other  
2                   than the glove compartment or console; or

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

5           “(b) In subsection (a), the term ‘transport’ includes  
6 staying in temporary lodging overnight, stopping for food,  
7 fuel, vehicle maintenance, an emergency, medical treat-  
8 ment, and any other activity incidental to the transport.

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

16           “(2) When a person asserts this section as a defense  
17 in a criminal proceeding, the prosecution shall bear the  
18 burden of proving, beyond a reasonable doubt, that the  
19 conduct of the person did not satisfy the conditions set  
20 forth in subsection (a).

21           “(3) When a person successfully asserts this section  
22 as a defense in a criminal proceeding, the court shall  
23 award the prevailing defendant a reasonable attorney’s  
24 fee.



1 “(d)(1) A person who is deprived of any right, privi-  
2 lege, or immunity secured by this section, section 926B  
3 or 926C, under color of any statute, ordinance, regulation,  
4 custom, or usage of any State or any political subdivision  
5 thereof, may bring an action in any appropriate court  
6 against any other person, including a State or political  
7 subdivision thereof, who causes the person to be subject  
8 to the deprivation, for damages and other appropriate re-  
9 lief.

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

14 (b) CLERICAL AMENDMENT.—The table of sections  
15 for such chapter is amended in the item relating to section  
16 926A by striking “firearms” and inserting “firearms or  
17 ammunition”.

18 **TITLE XII—POLAR BEAR CON-**  
19 **SERVATION AND FAIRNESS**  
20 **ACT**

21 **SEC. 1201. SHORT TITLE.**

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

1 **SEC. 1202. PERMITS FOR IMPORTATION OF POLAR BEAR**  
2 **TROPHIES TAKEN IN SPORT HUNTS IN CAN-**  
3 **ADA.**

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

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

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

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

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

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

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

16 **TITLE XIII—NORTH AMERICAN**  
17 **WETLANDS CONSERVATION**  
18 **EXTENSION**

19 **SEC. 1301. SHORT TITLE.**

20 This title may be cited as the “North American Wet-  
21 lands Conservation Extension Act”.

22 **SEC. 1302. AUTHORIZATION OF APPROPRIATIONS.**

23 Section 7(c) of the North American Wetlands Con-  
24 servation Act (16 U.S.C. 4406(c)) is amended by striking  
25 “not to exceed—” and all that follows through paragraph

1 (5) and inserting “not to exceed \$50,000,000 for each of  
2 fiscal years 2018 through 2022.”.

3 **SEC. 1303. LIMITATION ON EXPENDITURES FOR PURCHASE**  
4 **OF LAND.**

5 (a) **LIMITATION.**—Section 6 of the North American  
6 Wetlands Conservation Act (16 U.S.C. 4405) is amended  
7 by adding at the end the following:

8 “(c) **LIMITATION ON EXPENDITURES FOR PURCHASE**  
9 **OF LAND.**—Amounts appropriated under this Act may not  
10 be used by the Secretary to purchase land that will be  
11 administered by the United States.”.

12 (b) **APPLICATION.**—The amendment made by sub-  
13 section (a) shall not apply with respect to any specific land  
14 acquisition required by contract or other agreement en-  
15 tered into before the date of enactment of this Act.

16 **SEC. 1304. ENHANCED REPORT ON EXPENDITURES.**

17 Section 10(2) of the North American Wetlands Con-  
18 servation Act (16 U.S.C. 4409(2)) is amended to read as  
19 follows:

20 “(2) an annual assessment of the status of wet-  
21 lands conservation projects, including an accounting  
22 of—

23 “(A) expenditures by Federal, State, and  
24 other United States entities;

1                   “(B) expenditures made for fee-simple ac-  
2                   quisition of Federal lands in the United States;  
3                   and

4                   “(C) expenditures by Canadian and Mexi-  
5                   can sources to carry out wetland projects fund-  
6                   ed under this Act.”.

## 7                   **TITLE XIV—GRAY WOLVES**

### 8                   **SEC. 1401. REISSUANCE OF FINAL RULES RELATING TO** 9                   **GRAY WOLVES IN THE WESTERN GREAT** 10                   **LAKES AND THE STATE OF WYOMING.**

11                   (a) IN GENERAL.—Notwithstanding any other provi-  
12                   sion of law, not later than 60 days after the date of enact-  
13                   ment of this Act, the Secretary of the Interior shall re-  
14                   issue—

15                   (1) the final rule entitled “Endangered and  
16                   Threatened Wildlife and Plants; Revising the Listing  
17                   of the Gray Wolf (*Canis lupus*) in the Western Great  
18                   Lakes” (76 Fed. Reg. 81666 (December 28, 2011));  
19                   and

20                   (2) the final rule entitled “Endangered and  
21                   Threatened Wildlife and Plants; Removal of the  
22                   Gray Wolf in Wyoming From the Federal List of  
23                   Endangered and Threatened Wildlife and Removal  
24                   of the Wyoming Wolf Population’s Status as an Ex-

1       perimental Population” (77 Fed. Reg. 55530 (Sep-  
2       tember 10, 2012)).

3       (b) NO JUDICIAL REVIEW.—The reissuance of the  
4       final rules described in subsection (a) shall not be subject  
5       to judicial review.

## 6                   **TITLE XV—HEARING** 7                   **PROTECTION**

### 8       **SEC. 1501. SHORT TITLE.**

9       This title may be cited as the “Hearing Protection  
10      Act”.

### 11      **SEC. 1502. EQUAL TREATMENT OF SILENCERS AND FIRE-** 12                   **ARMS.**

13       (a) IN GENERAL.—Section 5845(a) of the Internal  
14      Revenue Code of 1986 is amended by striking “(7) any  
15      silencer” and all that follows through “; and (8)” and in-  
16      serting “; and (7)”.

17       (b) EFFECTIVE DATE.—The amendment made by  
18      this section shall apply to calendar quarters beginning  
19      more than 90 days after the date of the enactment of this  
20      Act.

### 21      **SEC. 1503. TREATMENT OF CERTAIN SILENCERS.**

22       Section 5841 of the Internal Revenue Code of 1986  
23      is amended by adding at the end the following:

24       “(f) FIREARM SILENCERS.—A person acquiring or  
25      possessing a firearm silencer in accordance with chapter

1 44 of title 18, United States Code, shall be treated as  
2 meeting any registration and licensing requirements of the  
3 National Firearms Act with respect to such silencer.”.

4 **SEC. 1504. PREEMPTION OF CERTAIN STATE LAWS IN RELA-**  
5 **TION TO FIREARM SILENCERS.**

6 Section 927 of title 18, United States Code, is  
7 amended by adding at the end the following: “Notwith-  
8 standing the preceding sentence, a law of a State or a  
9 political subdivision of a State that imposes a tax, other  
10 than a generally applicable sales or use tax, on making,  
11 transferring, using, possessing, or transporting a firearm  
12 silencer in or affecting interstate or foreign commerce, or  
13 imposes a marking, recordkeeping or registration require-  
14 ment with respect to such a firearm silencer, shall have  
15 no force or effect.”.

16 **SEC. 1505. DESTRUCTION OF RECORDS.**

17 Not later than 365 days after the date of the enact-  
18 ment of this Act, the Attorney General shall destroy any  
19 registration of a silencer maintained in the National Fire-  
20 arms Registration and Transfer Record pursuant to sec-  
21 tion 5841 of the Internal Revenue Code of 1986, any ap-  
22 plication to transfer filed under section 5812 of the Inter-  
23 nal Revenue Code of 1986 that identifies the transferee  
24 of a silencer, and any application to make filed under sec-

1 tion 5822 of the Internal Revenue Code of 1986 that iden-  
2 tifies the maker of a silencer.

3 **SEC. 1506. AMENDMENTS TO TITLE 18, UNITED STATES**  
4 **CODE.**

5 Title 18, United States Code, is amended—

6 (1) in section 921(a), by striking paragraph  
7 (24) and inserting the following:

8 “(24)(A) The terms ‘firearm silencer’ and ‘firearm  
9 muffler’ mean any device for silencing, muffling, or dimin-  
10 ishing the report of a portable firearm, including the ‘key-  
11 stone part’ of such a device.

12 “(B) The term ‘keystone part’ means, with respect  
13 to a firearm silencer or firearm muffler, an externally visi-  
14 ble part of a firearm silencer or firearm muffler, without  
15 which a device capable of silencing, muffling, or dimin-  
16 ishing the report of a portable firearm cannot be assem-  
17 bled, but the term does not include any interchangeable  
18 parts designed to mount a firearm silencer or firearm muf-  
19 fler to a portable firearm.”;

20 (2) in section 922(b)—

21 (A) in paragraph (1), by striking “shot-  
22 gun or rifle” the 1st place it appears and in-  
23 serting “shotgun, rifle, firearm silencer or fire-  
24 arm muffler,”; and



1 (B) in paragraph (3), by striking “rifle or  
2 shotgun” and inserting “shotgun, rifle, firearm  
3 silencer or firearm muffler”; and

4 (3) in section 923(i)—

5 (A) by striking “Licensed” and inserting  
6 the following:

7 “(1) In the case of a firearm other than a firearm  
8 silencer or firearm muffler, licensed”; and

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

10 “(2) In the case of a firearm silencer or firearm muf-  
11 fler, licensed importers and licensed manufacturers shall  
12 identify by means of a serial number engraved or cast on  
13 the keystone part of the firearm silencer or firearm muf-  
14 fler, in such manner as the Attorney General shall by reg-  
15 ulations prescribe, each firearm silencer or firearm muffler  
16 imported or manufactured by such importer or manufac-  
17 turer, except that, if a firearm silencer or firearm muffler  
18 does not have a clearly identifiable keystone part or has  
19 multiple keystone parts, licensed importers or licensed  
20 manufacturers shall submit a request for a marking vari-  
21 ance to the Attorney General. The Attorney General shall  
22 grant such a request except on showing good cause that  
23 marking the firearm silencer or firearm muffler as re-  
24 quested would not further the purposes of this chapter.”.

1 **SEC. 1507. IMPOSITION OF TAX ON FIREARM SILENCERS OR**  
2 **FIREARM MUFFLERS.**

3 (a) IN GENERAL.—Section 4181 of the Internal Rev-  
4 enue Code of 1986 is amended by adding at the end of  
5 the list relating to “Articles taxable at 10 percent” the  
6 following:

7 “Firearm silencers or firearm mufflers.”.

8 (b) FIREARM SILENCERS; FIREARM MUFFLERS.—  
9 Section 4181 of such Code is amended by adding at the  
10 end the following:

11 “For purposes of this part, the terms ‘firearm silencer’  
12 and ‘firearm muffler’ mean any device for silencing, muf-  
13 fling, or diminishing the report of a portable firearm.”.

14 (c) CONFORMING AMENDMENTS.—

15 (1) Section 4181 of such Code is amended by  
16 striking “other than pistols and revolvers” and in-  
17 sserting “other than articles taxable at 10 percent  
18 under this section”.

19 (2) Section 4182(b) of such Code is amended  
20 by striking “firearms, pistols, revolvers, shells, and  
21 cartridges” and inserting “articles described in sec-  
22 tion 4181 and”.

23 (3) Section 4182(c)(1) of such Code is amended  
24 by striking “or firearm” and inserting “firearm,  
25 firearm silencer, or firearm muffler,”.

1 (d) EFFECTIVE DATE.—The amendments made by  
2 this section shall apply to articles sold by the manufac-  
3 turer, producer, or importer in any calendar quarter be-  
4 ginning more than 90 days after the date of the enactment  
5 of this Act.

6 **TITLE XVI—LAWFUL PURPOSE**  
7 **AND SELF-DEFENSE**

8 **SEC. 1601. SHORT TITLE.**

9 This Act may be cited as the “Lawful Purpose and  
10 Self Defense Act”.

11 **SEC. 1602. ELIMINATION OF AUTHORITY TO RECLASSIFY**  
12 **POPULAR RIFLE AMMUNITION AS “ARMOR**  
13 **PIERCING AMMUNITION”.**

14 Section 921(a)(17) of title 18, United States Code,  
15 is amended—

16 (1) in subparagraph (B)(i), by striking “may be  
17 used” and inserting “is designed and intended by  
18 the manufacturer or importer for use”;

19 (2) in subparagraph (B)(ii), by inserting “by  
20 the manufacturer or importer” before “for use”; and

21 (3) in subparagraph (C), by striking “the At-  
22 torney General finds is primarily intended to be used  
23 for sporting purposes” and inserting “is primarily  
24 intended by the manufacturer or importer to be used  
25 in a rifle or shotgun, a handgun projectile that is de-

1 signed and intended by the manufacturer or im-  
2 porter to be used for hunting, recreational, or com-  
3 petitive shooting”.

4 **SEC. 1603. ELIMINATION OF RESTRICTIONS ON IMPORTA-**  
5 **TION OF NON-NATIONAL FIREARMS ACT**  
6 **FIREARM OR AMMUNITION THAT MAY OTH-**  
7 **ERWISE BE LAWFULLY POSSESSED AND SOLD**  
8 **IN THE UNITED STATES.**

9 (a) ELIMINATION OF PROHIBITIONS.—Section 922 of  
10 title 18, United States Code, is amended—

11 (1) in subsection (a), by striking paragraph (7)  
12 and inserting the following:

13 “(7) for any person to manufacture or import  
14 armor piercing ammunition, unless the manufacture  
15 or importation of the ammunition—

16 “(A) is for the use of the United States,  
17 any department or agency of the United States,  
18 any State, or any department, agency, or polit-  
19 ical subdivision of a State;

20 “(B) is for the purpose of exportation; or

21 “(C) is for the purpose of testing or ex-  
22 perimentation, and has been authorized by the  
23 Attorney General;”;

24 (2) in subsection (l), by striking “925(d) of this  
25 chapter” and inserting “925”; and

1           (3) by striking subsection (r).

2           (b) BROADENING OF EXCEPTIONS.—Section 925 of  
3 such title is amended—

4           (1) in subsection (a)(3), by striking “deter-  
5 mined” and all that follows through the end and in-  
6 serting “intended for the lawful personal use of such  
7 member or club.”;

8           (2) in subsection (a)(4), by striking “(A)” and  
9 all that follows through “for the” and inserting “in-  
10 tended for the lawful”; and

11           (3) by striking subsections (d) through (f) and  
12 inserting the following:

13           “(d)(1) Within 30 days after the Attorney General  
14 receives an application therefor, the Attorney General  
15 shall authorize a firearm or ammunition to be imported  
16 or brought into the United States or any possession there-  
17 of if—

18           “(A) the firearm or ammunition is being im-  
19 ported or brought in for scientific, research, testing,  
20 or experimentation purposes;

21           “(B) the firearm is an unserviceable firearm  
22 (other than a machine gun as defined in section  
23 5845(b) of the Internal Revenue Code of 1986 that  
24 is readily restorable to firing condition) imported or  
25 brought in as a curio or museum piece;

1           “(C) the firearm is not a firearm as defined in  
2           section 5845(a) of the Internal Revenue Code of  
3           1986;

4           “(D) the ammunition is not armor piercing am-  
5           munition (as defined in section 921(a)(17)(B) of  
6           this title), unless subparagraph (A), (E), (F), or (G)  
7           applies;

8           “(E) the firearm or ammunition is being im-  
9           ported or brought in for the use of the United  
10          States, any department or agency of the United  
11          States, any State, or any department, agency, or po-  
12          litical subdivision of a State;

13          “(F) the firearm or ammunition is being im-  
14          ported or brought in for the purpose of exportation;

15          “(G) the firearm or ammunition was previously  
16          taken out of the United States or a possession there-  
17          of by the person who is bringing in the firearm or  
18          ammunition; or

19          “(H) the firearm is a firearm defined as curio  
20          or relic by the Attorney General under section  
21          921(a)(13) of this title.

22          “(2) Within 30 days after the Attorney General re-  
23          ceives an application therefor, the Attorney General shall  
24          permit the conditional importation or bringing in of a fire-  
25          arm or ammunition for examination and testing in connec-

1 tion with the making of a determination as to whether  
2 the importation or bringing in of the firearm or ammuni-  
3 tion will be allowed under this subsection.

4 “(3) The Attorney General shall not authorize, under  
5 this subsection, the importation of any firearm the impor-  
6 tation of which is prohibited by section 922(p).”.

7 **SEC. 1604. PROTECTION OF SHOTGUNS, SHOTGUN SHELLS,**  
8 **AND LARGE CALIBER RIFLES FROM ARBI-**  
9 **TRARY CLASSIFICATION AS “DESTRUCTIVE**  
10 **DEVICES”.**

11 (a) AMENDMENTS TO THE NATIONAL FIREARMS  
12 ACT.—Section 5845(f) of the Internal Revenue Code of  
13 1986 is amended—

14 (1) in paragraph (2), by striking “recognized as  
15 particularly suitable for sporting purposes” and in-  
16 serting “recognized as suitable for lawful purposes”;  
17 and

18 (2) by striking “use solely for sporting pur-  
19 poses” and inserting “use for sporting purposes”.

20 (b) AMENDMENTS TO TITLE 18, UNITED STATES  
21 CODE.—Section 921(a)(4) of title 18, United States Code,  
22 is amended—

23 (1) in subparagraph (B) of the 1st sentence, by  
24 striking “particularly suitable for sporting” and in-  
25 serting “suitable for lawful”; and

1 (2) in the 2nd sentence, by striking “solely”.

2 **SEC. 1605. BROADENING OF THE TEMPORARY INTERSTATE**  
3 **TRANSFER PROVISION TO ALLOW TEM-**  
4 **PORARY TRANSFERS FOR ALL LAWFUL PUR-**  
5 **POSES RATHER THAN JUST FOR “SPORTING**  
6 **PURPOSES”.**

7 Section 922 of title 18, United States Code, is  
8 amended in each of subsections (a)(5)(B), (a)(9), and  
9 (b)(3)(B), by striking “sporting”.

10 **TITLE XVII—FEDERAL LAND**  
11 **TRANSACTION FACILITATION**  
12 **ACT REAUTHORIZATION**  
13 **(FLTFA)**

14 **SEC. 1701. SHORT TITLE.**

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

17 **SEC. 1702. FEDERAL LAND TRANSACTION FACILITATION**  
18 **ACT.**

19 The Federal Land Transaction Facilitation Act is  
20 amended—

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



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

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

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

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

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

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

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

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

1           “(1) USE OF FUNDS.—

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

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

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

14                           “(I) Inholdings.

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

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

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

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

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

7           (A) by striking subparagraph (A);

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

11          (C) in subparagraph (C) (as so redesi-  
12          gnated by this paragraph)—

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

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

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

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

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

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

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

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

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

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

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

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

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

25 (A) in paragraph (1)—

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

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

5 (B) in paragraph (2)—

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

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

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

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

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

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

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

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

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

## 4           **TITLE XVIII—FILM CREWS**

### 5           **SECTION 1801. ANNUAL PERMIT AND FEE FOR FILM CREWS** 6           **OF 5 PERSONS OR FEWER.**

7           Section 100905 of title 54, United States Code, is  
8           amended as follows:

9           (1) In subsection (a)—

10                   (A) in paragraph (1), by striking “provide  
11                   a fair return to the United States” and insert  
12                   “be sufficient to cover the cost of a film permit  
13                   and other administrative and personnel costs”;  
14                   and

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

16                   “(3) **FILM CREW OF 5 PERSONS OR FEWER.—**  
17                   For a commercial film crew of 5 persons or fewer for  
18                   commercial filming activities or similar projects on  
19                   Federal land and waters administered by the Sec-  
20                   retary the Secretary shall—

21                           “(A) assess an annual fee in an amount  
22                           sufficient to cover the administrative cost of  
23                           issuing a permit under this section, but not  
24                           greater than \$200; and

1           “(B) require a permit which shall be valid  
2           for commercial filming activities or similar  
3           projects that occur in areas designated for pub-  
4           lic use during public hours on all Federal land  
5           and waterways administered by the Secretary  
6           for a 1-year period beginning on the date of  
7           issuance of the permit.”.

8           (2) By striking subsection (b) and redesign-  
9           nating subsections (c), (d), (e), and (f) and sub-  
10          sections (b), (c), (d), and (e), respectively.

11          (3) In subsection (b), as redesignated by this  
12          section, by adding at the end the following:

13               “(3) STILL PHOTOGRAPHY CREW OF 5 PERSONS  
14               OR FEWER.—The fee under this paragraph for a still  
15               photography crew of 5 persons or fewer shall be not  
16               more than \$200.”.

17          (4) In subsection (e), as redesignated by this  
18          section—

19               (A) by striking “The Secretary” and in-  
20               serting the following:

21               “(1) TIMING.—The Secretary”; and

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

23               “(2) CRITERIA.—The Secretary shall not con-  
24               sider subject matter or content as a criterion for  
25               issuing or denying a permit under this Act.”.

1 (5) By adding at the end the following:

2 “(f) EXEMPTION FROM COMMERCIAL FILMING OR  
3 STILL PHOTOGRAPHY PERMITS AND FEES.—The Sec-  
4 retary shall not require persons holding commercial use  
5 authorizations or special recreation permits to obtain an  
6 additional permit or pay an additional fee for commercial  
7 filming or still photography under this section if—

8 “(1) the filming or still photography conducted  
9 is incidental to the permitted activity that is the  
10 subject of the commercial use authorization or spe-  
11 cial recreation permit; and

12 “(2) the holder of the commercial use author-  
13 ization or special recreation permit is an individual  
14 or small business concern (within the meaning of  
15 section 3 of the Small Business Act (15 U.S.C.  
16 632)).

17 “(g) NEWS GATHERING ACTIVITIES.—For the pur-  
18 poses of this section, a news gathering shall not be consid-  
19 ered a commercial activity.

20 “(h) DEFINITIONS.—For the purposes of this sec-  
21 tion—

22 “(1) the term ‘commercial film crew’ means any  
23 persons present on Federal land or water under the  
24 jurisdiction of the Secretary who are associated with  
25 the production of a film;



1           “(2) the term ‘news gathering’ means the gath-  
2           ering, recording, and filming of news and informa-  
3           tion related to news in any medium; and

4           “(3) the term ‘Secretary’ means the Secretary  
5           of the Interior or the Secretary of Agriculture, as  
6           applicable, with respect to land under the respective  
7           jurisdiction of such Secretary.”.

8       **TITLE XIX—RESPECT FOR STATE**  
9       **WILDLIFE MANAGEMENT AU-**  
10      **THORITY**

11     **SEC. 1901. AUTHORITY OF THE STATES.**

12       Nothing in this Act shall be construed as interfering  
13 with, diminishing, or conflicting with the authority, juris-  
14 diction, or responsibility of any State to exercise primary  
15 management, control, or regulation of fish and wildlife  
16 under State law on land or water within the State, includ-  
17 ing on Federal land administered by the Bureau of Land  
18 Management or the Forest Service.

19     **SEC. 1902. FEDERAL LICENSES.**

20       Nothing in this Act, shall be construed to authorize  
21 the head of a Federal agency to require a license, fee, or  
22 permit to fish, hunt, or trap on land or water in a State,  
23 including on Federal land in the State, except that this  
24 paragraph shall not affect the Migratory Bird Stamp re-

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

3 **SEC. 1903. COOPERATION WITH STATE FISH AND WILDLIFE**  
4 **AGENCIES ON MANAGEMENT PLANS.**

5 (a) USE OF STATE FISH AND WILDLIFE DATA AND  
6 ANALYSES.—The Secretary of the Interior and the Sec-  
7 retary of Agriculture shall prioritize coordination and co-  
8 operation with the appropriate State fish and wildlife  
9 agencies to recognize and fully utilize State fish and wild-  
10 life data and analyses, unless such data or analyses are  
11 proprietary or protected from disclosure under State law,  
12 as a primary source to inform—

13 (1) land and resource management plans for  
14 units of the National Forest System developed under  
15 section 6 of the Forest and Rangeland Renewable  
16 Resources Planning Act of 1974 (16 U.S.C. 1604);

17 (2) land use plans developed under section 202  
18 of the Federal Land Policy and Management Act of  
19 1976 (43 U.S.C. 1712);

20 (3) comprehensive conservation plans developed  
21 under section 4 of the National Wildlife Refuge Sys-  
22 tem Administration Act of 1966 (16 U.S.C. 668dd);

23 (4) project planning and execution; and

24 (5) related natural resource policies and deci-  
25 sions.

1           (b) SHARING DATA.—Federal agencies shall evaluate  
2 and utilize existing analysis of data on fish and wildlife  
3 populations prepared by the appropriate State and share  
4 Federal data with State fish and wildlife managers.