

Subcommittee on Federal Lands

Tom McClintock, Chairman
Hearing Memorandum

February 9, 2018

To: All Subcommittee on Federal Lands Members

From: Majority Committee Staff—Brandon Miller
Subcommittee on Federal Lands (x6-7736)

Hearing: **Legislative hearing on H.R. 2591 (Rep. Austin Scott)**, To amend the Pittman-Robertson Wildlife Restoration Act to modernize the funding of wildlife conservation, and for other purposes.
February 15, 2018, 2:30 PM; 1334 Longworth House Office Building

H.R. 2591, “*Modernizing the Pittman-Robertson Fund for Tomorrow’s Needs Act of 2017*”

Summary of the Bill

H.R. 2591, introduced by Representative Austin Scott (R-GA), amends the Pittman-Robertson Wildlife Restoration Act (Pittman-Robertson Act) to modernize the funding of wildlife conservation. The legislation would clarify that—in addition to providing the funds to support the management of wildlife populations and their habitat—one of the purposes of the Pittman-Robertson Act is to extend financial and technical assistance to the States for the promotion of hunting and recreational shooting.

Cosponsors

[27 Cosponsors](#)

Witnesses

The Honorable Austin Scott
Member of Congress, Georgia’s 8th District

Mr. Bob Ziehmer
Senior Director of Conservation
Bass Pro Shops
Springfield, MO

Background

The Pittman-Robertson Wildlife Restoration Act of 1937 (Sept. 2, 1937, ch. 899, §1, 50 Stat. 917) uses the proceeds of federal excise tax on firearms ammunition and archery equipment to fund grants for wildlife resource projects to States’ territorial fish and wildlife agencies, and to conduct hunter education programs. The excise tax is set at 10% of the wholesale price for

pistols and revolvers, 11% for other firearms as well as shells or cartridges, and is collected by the manufacturer. An 11% tax on archery equipment is also deposited into the fund. The tax is applied whether the equipment is likely to be used for hunting or not. Total apportionments to the States and territories were \$780,031, the creation 696 in Fiscal Year 2017 and \$695,141,699 in Fiscal Year 2016.¹

Prior to passage of the Pittman–Robertson Act, many species of wildlife were driven to, or near extinction by commercial market hunting pressure and habitat degradation². The taxes paid by hunters and recreational shooters provide funds that support the management of wildlife populations and their habitats for both game and non-game animals. Preserving and enhancing this volunteer revenue source has enabled State agencies to provide additional outdoor recreational opportunities. This “user pay/public benefits” approach aids hunters, recreational shooters, and all citizens through the delivery of on the ground wildlife and habitat conservation by the State fish and wildlife agencies.

Increasing urbanization and suburbanization has made it more difficult for the public to participate in hunting and recreational shooting than when the Pittman-Robertson Act was first enacted in 1937. In an effort to recruit more hunters and ensure continued funding for wildlife conservation, H.R. 2591 would clarify that one of the purposes of the Pittman-Robertson Act is to extend financial and technical assistance to the States for the promotion of hunting and recreational shooting. The legislation would expand the definitions section of the Pittman-Robertson Act to include a definition of “*hunter recruitment and recreational shooter recruitment*” activities and projects and make clear that Pittman-Robertson Act funds may be used for hunter and recreational shooter recruitment.

H.R. 2591 also seeks to ensure that traditional wildlife conservation remains the primary focus of these funds. The legislation would put a cap (25%) on the amount of 4(b) funds that can be spent on hunter and recreational shooter recruitment. This bill would also clarify, by removing an existing prohibition on “public relations,” that State spending for management of wildlife areas and resources may include spending for the promotion of hunting and recreational shooting. The legislation would clarify that the construction, operation, and maintenance of public target ranges under the Basic Hunter Education funding is not restricted to ranges that include hunter safety programs. Finally, the legislation would expand the Multistate Conservation Grant program (Section 11 of the Pittman-Robertson Act) by providing for an additional \$5 million per year (from archery related excise tax collections) to be used for making hunter and recreational shooter recruitment project grants that promote a national hunting and shooting sport recruitment program, related communication and outreach activities.

Senator James E. Risch (R-ID) introduced a Senate companion bill, S. 1613. This legislation also contains similar target shooting range expansion language as is included in H.R. 788, the Target Practice and Marksmanship Training Support Act, introduced by Congressman Duncan D. Hunter (R-CA), which is also included as Title II of H.R. 3668, the Sportmen’s Heritage and Recreational Enhancement Act (SHARE).

Major Provisions/Section-by-Section Analysis of H.R. 2591

¹ United States Fish and Wildlife Service [Certificates of Apportionment](#) for Fiscal Years 2016 and 2017.

²Bolen, Eric (2003). *Wildlife Ecology and Management*. New Jersey: Prentice Hall. Pp. Chapter.

Section 1. Short Title.

Section 2. Purpose.

Section 3. Definitions.

- Amends the definition of “fiscal year” in the legislation, to be the fiscal year or license year of the State, to be used in determining the number of paid license-holders in a State.
- Defines “hunter recruitment and recreational shooter recruitment” as any activity or project to recruit or retain hunters and recreational shooters, including:
 - o Using social media, marketing, advertising, surveying, television spots, print, and media;
 - o Providing education, mentoring or field demonstrations;
 - o Enhancing access for hunting and recreational shooting, including through range construction;
 - o Providing education to the public about the role of hunting and recreational shooting in wildlife; conservation; and
 - o Using any other means to ensure the growth of hunting and recreational shooting

Section 4. Allocation and Apportionment of Available Amounts.

- To ensure the traditional wildlife conservation remains the primary focus of these funds, the legislation puts a cap (25%) on the amount of Section 4(b) PR funds that can be spent on hunter and recreational shooter recruitment over a 5-fiscal year period.
- Modernizes text to more clearly reflect the apportionment of taxes established by the Pittman-Robertson Wildlife Restoration Act.

Section 5. Expenditures for Management of Wildlife Areas and Resources

- Removes existing prohibition on “public relations,” allowing State spending for management of wildlife areas as well as promotion of hunting and recreational shooting.

Section 6. Firearm and Bow Hunter Education and Safety Programs Grants

- Amends section 10(a) of the Pittman-Robertson Wildlife Restoration Act to include the enhancement of hunter recruitment and recreational shooter recruitment as funding opportunities for grants made available by the Secretary of the Interior.

Section 7. Multistate Conservation Grant Program.

- Expands the Multistate Conservation Grant program by providing for additional \$5 million per year (from archery related excise tax collections) to be used for making hunters and recreational shooter recruitment project grants that promote a national hunting and shooting sport recruitment program and related communication and outreach activities.
- Clarifies that the \$5 million comes from revenue from any tax imposed under section 4161(b) of the Internal Revenue Code of 1986 relating to the imposition of tax on bows and arrows.

Support for the Legislation

American Woodcock Society
Archery Trade Association
Association of Fish and Wildlife Agencies
Bass Pro Shops
Campfire Club of America
Catch-A-Dream Foundation

Congressional Sportsmen's Foundation
Conservation Force
Council to Advance Hunting and the Shooting Sports
Delta Waterfowl
Ducks Unlimited
Houston Safari Club
Izaak Walton League
Mule Deer Foundation
National Wild Turkey Federation
North American Grouse Partnership
Pheasants Forever
Quail Forever
Quality Deer Management Association
Rocky Mountain Elk Foundation
Ruffed Grouse Society
Safari Club International
Sportsmen's Alliance
Theodore Roosevelt Conservation Partnership
Whitetails Unlimited
Wild Sheep Foundation
Wildlife Forever
Wildlife and Hunting Heritage Conservation Council
Wildlife Management Institute

Cost

A Congressional Budget Office cost estimate has not yet been completed for this bill.

Administration Position

The Administration's position is currently unknown.

Effect on Current Law (Ramseyer)