

# Committee on Natural Resources

Rob Bishop Chairman  
Markup Memorandum

May 3, 2018

To: All Natural Resources Committee Members

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

Mark-Up: **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.

**May 8, 2018, 1324 Longworth House Office Building**

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**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 to modernize the funding of wildlife conservation. The legislation would clarify that one of the purposes of the Pittman-Robertson Act is to extend financial and technical assistance for the promotion of hunting and recreational shooting.

## **Cosponsors**

[27 Cosponsors](#)

## **Background**

The Pittman-Robertson Act<sup>1</sup> (16 U.S.C. 669 et seq.) uses federal excise taxes on firearms, ammunition, and archery equipment to fund grants to State and U.S. territory fish and wildlife agencies for wildlife resource projects, and to conduct hunter education programs. The excise tax, collected by the manufacturer, is set at 10% of the wholesale price for pistols and revolvers, and 11% for other firearms and shells or cartridges. An 11% tax on archery equipment is also deposited into the fund established by the Pittman-Robertson Act. The tax is applied whether the equipment is likely to be used for hunting or not. Total apportionments to the States and territories were \$797,160,652 in Fiscal Year 2018, \$780,031,696 in Fiscal Year 2017 and \$695,141,699 in Fiscal Year 2016.<sup>2</sup>

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 degradation.<sup>3</sup> The taxes

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<sup>1</sup> Formally the Federal Aid in Wildlife Restoration Act of 1937 (50 Stat. 917).

<sup>2</sup> United States Fish and Wildlife Service [Certificates of Apportionment](#) for Fiscal Years 2016, 2017, and 2018.

<sup>3</sup>Bolen, Eric (2003). *Wildlife Ecology and Management*. New Jersey: Prentice Hall. Pp. Chapter.

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 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 to 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 what can be spent on hunter and recreational shooter recruitment. The 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 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 communications, and outreach activities.

Senator James E. Risch (R-ID) introduced a companion bill, S. 1613. H.R. 2591 also contains target shooting range expansion language similar to H.R. 788, the Target Practice and Marksmanship Training Support Act, introduced by Congressman Duncan D. Hunter (R-CA). This text was included as Title II of H.R. 3668, the Sportsmen’s Heritage and Recreational Enhancement Act.

The Subcommittee on Federal Lands held a hearing on H.R. 2591 on February 15, 2018.

### **Major Provisions/Analysis of H.R. 2591**

#### **Section 3. Definitions.**

This section amends the definition of “fiscal year” 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. It also defines “hunter recruitment and recreational shooter recruitment” as any activity or project to recruit or retain hunters and recreational shooters, including using social media, marketing, advertising, surveying, television spots, print, and media; providing education, mentoring or field

demonstrations; enhancing access for hunting and recreational shooting, including through range construction; providing education to the public about the role of hunting and recreational shooting in wildlife; conservation; and 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 Pittman-Robertson Act section 4(b) funds that can be spent on hunter and recreational shooter recruitment over a 5-fiscal year period. It also modernizes the text to more clearly reflect the apportionment of taxes established by the Pittman-Robertson Act.

**Section 5. Expenditures for Management of Wildlife Areas and Resources.**

This section removes an 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.**

This section amends section 10(a) of the Pittman-Robertson 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.**

This section expands the Multistate Conservation Grant program by providing an 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.

**Support for the Legislation**

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| American Woodcock Society                 | Pheasants Forever                          |
| Archery Trade Association                 | Quail Forever                              |
| Association of Fish and Wildlife Agencies | Quality Deer Management Association        |
| Bass Pro Shops                            | Rocky Mountain Elk Foundation              |
| Campfire Club of America                  | Ruffed Grouse Society                      |
| Catch-A-Dream Foundation                  | Safari Club International                  |
| Congressional Sportsmen’s Foundation      | Sportsmen’s Alliance                       |
| Conservation Force                        | Theodore Roosevelt Conservation            |
| Council to Advance Hunting and the        | Partnership                                |
| Shooting Sports                           | Whitetails Unlimited                       |
| Delta Waterfowl                           | Wild Sheep Foundation                      |
| Ducks Unlimited                           | Wildlife Forever                           |
| Houston Safari Club                       | Wildlife and Hunting Heritage Conservation |
| Izaak Walton League                       | Council                                    |
| Mule Deer Foundation                      | Wildlife Management Institute              |
| National Wild Turkey Federation           |  |
| North American Grouse Partnership         |  |

## **Cost**

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

## **Administration Position**

The Administration's position is currently unknown.

## **Anticipated Amendments**

One technical amendment is anticipated to remove the short title reference to the year 2017.

## **[Effect on Current Law \(Ramseyer\)](#)**