

Union Calendar No. 293

112TH CONGRESS
2^D SESSION

H. R. 4089

[Report No. 112-426, Part I]

To protect and enhance opportunities for recreational hunting, fishing and shooting.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 27, 2012

Mr. MILLER of Florida (for himself, Mr. BENISHEK, Mr. FLAKE, Mr. YOUNG of Alaska, Mr. ROSS of Arkansas, Mr. BOREN, Mr. LATTA, and Mr. SHULER) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committees on Agriculture and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

APRIL 13, 2012

Additional sponsors: Mr. DUNCAN of South Carolina, Mr. TIPTON, Mr. ALTMIRE, Mr. MANZULLO, Mr. FARENTHOLD, Mr. KLINE, Mr. AUSTRIA, Mr. SCHWEIKERT, Mr. REHBERG, Mr. QUAYLE, Mr. KISSELL, Mr. BROUN of Georgia, Mr. COFFMAN of Colorado, Mr. HANNA, Mr. PALAZZO, Mr. HUELSKAMP, Mr. DUNCAN of Tennessee, Mr. WITTMAN, Mr. HUNTER, and Mr. ROONEY

APRIL 13, 2012

Reported from the Committee on Natural Resources with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

APRIL 13, 2012

The Committees on Agriculture and Energy and Commerce discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on February 27, 2012]

A BILL

To protect and enhance opportunities for recreational
hunting, fishing and shooting.

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

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

4 (a) *SHORT TITLE.*—*This Act may be cited as the*
 5 *“Sportsmen’s Heritage Act of 2012”.*

6 (b) *TABLE OF CONTENTS.*—*The table of contents for*
 7 *this Act is as follows:*

Sec. 1. Short title; table of contents.

*TITLE I—RECREATIONAL FISHING AND HUNTING HERITAGE AND
 OPPORTUNITIES*

Sec. 101. Short title.

Sec. 102. Findings.

Sec. 103. Definition.

Sec. 104. Recreational fishing, hunting, and shooting.

TITLE II—RECREATIONAL SHOOTING PROTECTION

Sec. 201. Short title.

Sec. 202. Definitions.

Sec. 203. Recreational shooting.

TITLE III—POLAR BEAR CONSERVATION AND FAIRNESS

Sec. 301. Short title.

*Sec. 302. Permits for importation of polar bear trophies taken in sport hunts in
 Canada.*

*TITLE IV—HUNTING, FISHING, AND RECREATIONAL SHOOTING
 PROTECTION*

Sec. 401. Short title.

Sec. 402. Modification of definition.

8 **TITLE I—RECREATIONAL FISH-**
 9 **ING AND HUNTING HERITAGE**
 10 **AND OPPORTUNITIES**

11 **SEC. 101. SHORT TITLE.**

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

1 **SEC. 102. FINDINGS.**

2 *Congress finds that—*

3 *(1) recreational fishing and hunting are impor-*
4 *tant and traditional activities in which millions of*
5 *Americans participate;*

6 *(2) recreational anglers and hunters have been*
7 *and continue to be among the foremost supporters of*
8 *sound fish and wildlife management and conservation*
9 *in the United States;*

10 *(3) recreational fishing and hunting are environ-*
11 *mentally acceptable and beneficial activities that*
12 *occur and can be provided on Federal public lands*
13 *and waters without adverse effects on other uses or*
14 *users;*

15 *(4) recreational anglers, hunters, and sporting*
16 *organizations provide direct assistance to fish and*
17 *wildlife managers and enforcement officers of the Fed-*
18 *eral Government as well as State and local govern-*
19 *ments by investing volunteer time and effort to fish*
20 *and wildlife conservation;*

21 *(5) recreational anglers, hunters, and the associ-*
22 *ated industries have generated billions of dollars of*
23 *critical funding for fish and wildlife conservation, re-*
24 *search, and management by providing revenues from*
25 *purchases of fishing and hunting licenses, permits,*
26 *and stamps, as well as excise taxes on fishing, hunt-*

1 *ing, and shooting equipment that have generated bil-*
2 *ions of dollars of critical funding for fish and wild-*
3 *life conservation, research, and management;*

4 *(6) recreational shooting is also an important*
5 *and traditional activity in which millions of Ameri-*
6 *cans participate, safe recreational shooting is a valid*
7 *use of Federal public lands, and participation in rec-*
8 *reational shooting helps recruit and retain hunters*
9 *and contributes to wildlife conservation;*

10 *(7) opportunities to recreationally fish, hunt,*
11 *and shoot are declining, which depresses participation*
12 *in these traditional activities, and depressed partici-*
13 *pation adversely impacts fish and wildlife conserva-*
14 *tion and funding for important conservation efforts;*
15 *and*

16 *(8) the public interest would be served, and our*
17 *citizens' fish and wildlife resources benefitted, by ac-*
18 *tion to ensure that opportunities are facilitated to en-*
19 *gage in fishing and hunting on Federal public land*
20 *as recognized by Executive Order 12962, relating to*
21 *recreational fisheries, and Executive Order 13443, re-*
22 *lating to facilitation of hunting heritage and wildlife*
23 *conservation.*

24 **SEC. 103. DEFINITION.**

25 *In this title:*

1 (1) *FEDERAL PUBLIC LAND.*—

2 (A) *IN GENERAL.*—*Except as provided in*
3 *subparagraph (B), the term “Federal public*
4 *land” means any land or water that is—*

5 (i) *owned by the United States; and*

6 (ii) *managed by a Federal agency (in-*
7 *cluding the Department of the Interior and*
8 *the Forest Service) for purposes that include*
9 *the conservation of natural resources.*

10 (B) *EXCLUSION.*—*The term “Federal public*
11 *land” does not include any land or water held*
12 *in trust for the benefit of Indians or other Native*
13 *Americans.*

14 (2) *HUNTING.*—

15 (A) *IN GENERAL.*—*Except as provided in*
16 *subparagraph (B), the term “hunting” means*
17 *use of a firearm, bow, or other authorized means*
18 *in the lawful—*

19 (i) *pursuit, shooting, capture, collec-*
20 *tion, trapping, or killing of wildlife; or*

21 (ii) *attempt to pursue, shoot, capture,*
22 *collect, trap, or kill wildlife.*

23 (B) *EXCLUSION.*—*The term “hunting” does*
24 *not include the use of skilled volunteers to cull*
25 *excess animals (as defined by other Federal law,*

1 *including laws applicable to the National Park*
2 *System).*

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

5 (A) *pursuit, capture, collection, or killing of*
6 *fish; or*

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

8 (4) *RECREATIONAL SHOOTING.*—*The term “rec-*
9 *reational shooting” means any form of sport, train-*
10 *ing, competition, or pastime, whether formal or infor-*
11 *mal, that involves the discharge of a rifle, handgun,*
12 *or shotgun, or the use of a bow and arrow.*

13 **SEC. 104. RECREATIONAL FISHING, HUNTING, AND SHOOT-**
14 **ING.**

15 (a) *IN GENERAL.*—*Subject to valid existing rights and*
16 *subsection (g), and cooperation with the respective State*
17 *and fish and wildlife agency, Federal public land manage-*
18 *ment officials shall exercise their authority under existing*
19 *law, including provisions regarding land use planning, to*
20 *facilitate use of and access to Federal public lands and*
21 *waters for fishing, sport hunting, and recreational shooting*
22 *except as limited by—*

23 (1) *statutory authority that authorizes action or*
24 *withholding action for reasons of national security,*
25 *public safety, or resource conservation;*

1 (2) *any other Federal statute that specifically*
2 *precludes recreational fishing, hunting, or shooting on*
3 *specific Federal public lands, waters, or units thereof;*
4 *and*

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

10 (b) *MANAGEMENT.*—*Consistent with subsection (a), the*
11 *head of each Federal public land management agency shall*
12 *exercise its land management discretion—*

13 (1) *in a manner that supports and facilitates*
14 *recreational fishing, hunting, and shooting opportuni-*
15 *ties;*

16 (2) *to the extent authorized under applicable*
17 *State law; and*

18 (3) *in accordance with applicable Federal law.*

19 (c) *PLANNING.*—

20 (1) *EFFECTS OF PLANS AND ACTIVITIES.*—

21 (A) *EVALUATION OF EFFECTS ON OPPORTU-*
22 *NITIES TO ENGAGE IN RECREATIONAL FISHING,*
23 *HUNTING, OR SHOOTING.*—*Federal public land*
24 *planning documents, including land resources*
25 *management plans, resource management plans,*

1 *travel management plans, general management*
2 *plans, and comprehensive conservation plans,*
3 *shall include a specific evaluation of the effects*
4 *of such plans on opportunities to engage in rec-*
5 *reational fishing, hunting, or shooting.*

6 *(B) NOT MAJOR FEDERAL ACTION.—No ac-*
7 *tion taken under this title, or under section 4 of*
8 *the National Wildlife Refuge System Adminis-*
9 *tration Act of 1966 (16 U.S.C. 668dd), either in-*
10 *dividually or cumulatively with other actions in-*
11 *volving Federal public lands, shall be considered*
12 *to be a major Federal action significantly affect-*
13 *ing the quality of the human environment, and*
14 *no additional identification, analysis, or consid-*
15 *eration of environmental effects, including cumu-*
16 *lative effects, is necessary or required.*

17 *(C) OTHER ACTIVITY NOT CONSIDERED.—*
18 *The fact that recreational fishing, hunting, or*
19 *shooting occurs on adjacent or nearby public or*
20 *private lands shall not be considered in deter-*
21 *mining which Federal public lands are open for*
22 *these activities or for setting levels of use for*
23 *these activities.*

24 *(2) USE OF VOLUNTEERS.—If hunting is prohib-*
25 *ited by law, all Federal public land planning docu-*

1 *ments of listed in paragraph (1)(A) of an agency*
2 *shall, after appropriate coordination with State fish*
3 *and wildlife agency, allow the participation of skilled*
4 *volunteers in the culling and other management of*
5 *wildlife populations on Federal public lands unless*
6 *the head of the agency demonstrates, based on the best*
7 *scientific data available or applicable Federal stat-*
8 *utes, why skilled volunteers shall not be used to con-*
9 *trol overpopulations of wildlife on the land that is the*
10 *subject of the planning documents.*

11 *(d) BUREAU OF LAND MANAGEMENT AND FOREST*
12 *SERVICE LANDS.—*

13 *(1) LANDS OPEN.—Lands under the jurisdiction*
14 *of the Bureau of Land Management and the Forest*
15 *Service, including lands designated as wilderness or*
16 *administratively classified as wilderness eligible or*
17 *suitable and primitive or semi-primitive areas but ex-*
18 *cluding lands on the Outer Continental Shelf, shall be*
19 *open to recreational fishing, hunting, and shooting*
20 *unless the managing Federal agency acts to close*
21 *lands to such activity. Lands may be subject to clo-*
22 *tures or restrictions if determined by the head of the*
23 *agency to be necessary and reasonable and supported*
24 *by facts and evidence, for purposes including resource*
25 *conservation, public safety, energy or mineral produc-*

1 *tion, energy generation or transmission infrastruc-*
2 *ture, water supply facilities, protection of other per-*
3 *mittees, protection of private property rights or inter-*
4 *ests, national security, or compliance with other law.*
5 *The head of the agency shall publish public notice of*
6 *such closure or restriction before it is effective, unless*
7 *the closure or restriction is mandated by other law.*

8 (2) *SHOOTING RANGES.—*

9 (A) *IN GENERAL.—The head of each Federal*
10 *agency—*

11 (i) *may lease its lands for shooting*
12 *ranges; and*

13 (ii) *may designate specific lands for*
14 *recreational shooting activities.*

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

22 (e) *NECESSITY IN WILDERNESS AREAS.—*

23 (1) *The provision of opportunities for hunting,*
24 *fishing and recreational shooting, and the conserva-*
25 *tion of fish and wildlife to provide sustainable use*

1 *recreational opportunities on designated wilderness*
2 *areas on Federal public lands shall constitute meas-*
3 *ures necessary to meet the minimum requirements for*
4 *the administration of the wilderness area.*

5 (2) *The “within and supplemental to” Wilder-*
6 *ness purposes, as provided in Public Law 88–577,*
7 *section 4(c), means that any requirements imposed by*
8 *that Act shall be implemented only insofar as they fa-*
9 *cilitate or enhance the original or primary purpose or*
10 *purposes for which the Federal public lands or Fed-*
11 *eral public land unit was established and do not ma-*
12 *terially interfere with or hinder such purpose or pur-*
13 *poses.*

14 (f) *ANNUAL REPORT.—*

15 (1) *IN GENERAL.—Not later than October 1 of*
16 *each year, the head of each Federal agency who has*
17 *authority to manage Federal public land on which*
18 *fishing, hunting, or recreational shooting occurs shall*
19 *publish in the Federal Register and submit to the*
20 *Committee on Natural Resources of the House of Rep-*
21 *resentatives and the Committee on Energy and Nat-*
22 *ural Resources of the Senate a report that describes—*

23 (A) *any Federal public land administered*
24 *by the agency head that was closed to rec-*

1 *reational fishing, sport hunting, or shooting at*
2 *any time during the preceding year; and*

3 *(B) the reason for the closure.*

4 (2) *CLOSURES OR SIGNIFICANT RESTRICTIONS OF*
5 *640 OR MORE ACRES.—*

6 (A) *IN GENERAL.—Other than closures*
7 *under subsection (c), the withdrawal, any change*
8 *of classification, or any change of management*
9 *status that effectively closes or significantly re-*
10 *stricts 640 or more contiguous acres of Federal*
11 *public land or water to access or use for fishing*
12 *or hunting or activities related to fishing and*
13 *hunting (or both) shall take effect only if, before*
14 *the date of withdrawal or change, the head of the*
15 *Federal agency that has jurisdiction over the*
16 *Federal public land or water—*

17 (i) *publishes notice of the closure, with-*
18 *drawal, or significant restriction;*

19 (ii) *demonstrates that coordination has*
20 *occurred with a State fish and wildlife*
21 *agency; and*

22 (iii) *submits to the Committee on Nat-*
23 *ural Resources of the House of Representa-*
24 *tives and the Committee on Energy and*
25 *Natural Resources of the Senate written no-*

1 *tice of the withdrawal, change, or signifi-*
2 *cant restriction.*

3 *(B) AGGREGATE OR CUMULATIVE EF-*
4 *FECTS.—If the aggregate or cumulative effect of*
5 *small closures or significant restrictions affects*
6 *640 or more acres, such small closures or signifi-*
7 *cant restrictions shall be subject to these require-*
8 *ments.*

9 *(g) AREAS NOT AFFECTED.—Nothing in this title re-*
10 *quires the opening of national park or national monuments*
11 *under the jurisdiction of the National Park Service to hunt-*
12 *ing or recreational shooting.*

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

18 *(i) CONSULTATION WITH COUNCILS.—In fulfilling the*
19 *duties set forth in this title, the heads of Federal agencies*
20 *shall consult with respective advisory councils as established*
21 *in Executive Orders 12962 and 13443.*

22 *(j) AUTHORITY OF THE STATES.—*

23 *(1) IN GENERAL.—Nothing in this title shall be*
24 *construed as interfering with, diminishing, or con-*
25 *flicting with the authority, jurisdiction, or responsi-*

1 *bility of any State to manage, control, or regulate fish*
2 *and wildlife under State law (including regulations)*
3 *on land or water within the State, including on Fed-*
4 *eral public land.*

5 (2) *FEDERAL LICENSES.*—*Nothing in this title*
6 *authorizes the head of a Federal agency head to re-*
7 *quire a license or permit to fish, hunt, or trap on*
8 *land or water in a State, including on Federal public*
9 *land in the States, except that this paragraph shall*
10 *not affect the Migratory Bird Stamp requirement set*
11 *forth in the Migratory Bird Hunting and Conserva-*
12 *tion Stamp Act (16 U.S.C. 718 et seq.).*

13 **TITLE II—RECREATIONAL** 14 **SHOOTING PROTECTION**

15 **SEC. 201. SHORT TITLE.**

16 *This title may be cited as the “Recreational Shooting*
17 *Protection Act”.*

18 **SEC. 202. DEFINITIONS.**

19 *In this title:*

20 (1) *DIRECTOR.*—*The term “Director” means the*
21 *Director of the Bureau of Land Management.*

22 (2) *NATIONAL MONUMENT LAND.*—*The term “Na-*
23 *tional Monument land” has the meaning given that*
24 *term in the Act of June 8, 1908 (commonly known as*
25 *the “Antiquities Act”; 16 U.S.C. 431 et seq.).*

1 (3) *RECREATIONAL SHOOTING.*—*The term “re-*
2 *creational shooting” includes any form of sport, train-*
3 *ing, competition, or pastime, whether formal or infor-*
4 *mal, that involves the discharge of a rifle, handgun,*
5 *or shotgun, or the use of a bow and arrow.*

6 **SEC. 203. RECREATIONAL SHOOTING.**

7 (a) *IN GENERAL.*—*Subject to valid existing rights, Na-*
8 *tional Monument land under the jurisdiction of the Bureau*
9 *of Land Management shall be open to access and use for*
10 *recreational shooting, except such closures and restrictions*
11 *determined by the Director to be necessary and reasonable*
12 *and supported by facts and evidence for one or more of the*
13 *following:*

14 (1) *Reasons of national security.*

15 (2) *Reasons of public safety.*

16 (3) *To comply with an applicable Federal stat-*
17 *ute.*

18 (4) *To comply with a law (including regula-*
19 *tions) of the State in which the National Monument*
20 *land is located that is applicable to recreational*
21 *shooting.*

22 (b) *NOTICE; REPORT.*—

23 (1) *REQUIREMENT.*—*Except as set forth in para-*
24 *graph (2)(B), before a restriction or closure under*
25 *subsection (a) is made effective, the Director shall—*

1 (A) *publish public notice of such closure or*
2 *restriction in a newspaper of general circulation*
3 *in the area where the closure or restriction will*
4 *be carried out; and*

5 (B) *submit to Congress a report detailing*
6 *the location and extent of, and evidence justi-*
7 *fying, such a closure or restriction.*

8 (2) *TIMING.*—*The Director shall issue the notice*
9 *and report required under paragraph (1)—*

10 (A) *before the closure if practicable without*
11 *risking national security or public safety; and*

12 (B) *in cases where such issuance is not*
13 *practicable for reasons of national security or*
14 *public safety, not later than 30 days after the*
15 *closure.*

16 (c) *CESSATION OF CLOSURE OR RESTRICTION.*—*A clo-*
17 *sure or restriction under paragraph (1) or (2) of subsection*
18 *(a) shall cease to be effective—*

19 (1) *effective on the day after the last day of the*
20 *six-month period beginning on the date on which the*
21 *Director submitted the report to Congress under sub-*
22 *section (b)(2) regarding the closure or restriction, un-*
23 *less the closure or restriction has been approved by*
24 *Federal law; and*

1 (2) 30 days after the date of the enactment of a
2 *Federal law disapproving the closure or restriction.*

3 (d) *MANAGEMENT.*—*Consistent with subsection (a), the*
4 *Director shall manage National Monument land under the*
5 *jurisdiction of the Bureau of Land Management—*

6 (1) *in a manner that supports, promotes, and*
7 *enhances recreational shooting opportunities;*

8 (2) *to the extent authorized under State law (in-*
9 *cluding regulations); and*

10 (3) *in accordance with applicable Federal law*
11 *(including regulations).*

12 (e) *LIMITATION ON DUPLICATIVE CLOSURES OR RE-*
13 *STRICTIONS.*—*Unless supported by criteria under sub-*
14 *section (a) as a result of a change in circumstances, the*
15 *Director may not issue a closure or restriction under sub-*
16 *section (a) that is substantially similar to closure or restric-*
17 *tion previously issued that was not approved by Federal*
18 *law.*

19 (f) *EFFECTIVE DATE FOR PRIOR CLOSURES AND RE-*
20 *STRICTIONS.*—*On the date that is six months after the date*
21 *of the enactment of this Act, this title shall apply to closures*
22 *and restrictions in place on the date of the enactment of*
23 *this title that relate to access and use for recreational shoot-*
24 *ing on National Monument land under the jurisdiction of*
25 *the Bureau of Land Management.*

1 (g) *ANNUAL REPORT.*—Not later than October 1 of
2 each year, the Director shall submit to the Committee on
3 Natural Resources of the House of Representatives and the
4 Committee on Energy and Natural Resources of the Senate
5 a report that describes—

6 (1) any National Monument land under the ju-
7 isdiction of the Bureau of Land Management that
8 was closed to recreational shooting or on which rec-
9 reational shooting was restricted at any time during
10 the preceding year; and

11 (2) the reason for the closure.

12 (h) *NO PRIORITY.*—Nothing in this title requires the
13 Director to give preference to recreational shooting over
14 other uses of Federal public land or over land or water man-
15 agement priorities established by Federal law.

16 (i) *AUTHORITY OF THE STATES.*—

17 (1) *SAVINGS.*—Nothing in this title affects the
18 authority, jurisdiction, or responsibility of a State to
19 manage, control, or regulate fish and wildlife under
20 State law (including regulations) on land or water in
21 the State, including Federal public land.

22 (2) *FEDERAL LICENSES.*—Nothing in this title
23 authorizes the Director to require a license for rec-
24 reational shooting on land or water in a State, in-
25 cluding on Federal public land in the State.

1 **TITLE III—POLAR BEAR**
2 **CONSERVATION AND FAIRNESS**

3 **SEC. 301. SHORT TITLE.**

4 *This title may be cited as the “Polar Bear Conserva-*
5 *tion and Fairness Act of 2012”.*

6 **SEC. 302. PERMITS FOR IMPORTATION OF POLAR BEAR**

7 **TROPHIES TAKEN IN SPORT HUNTS IN CAN-**

8 **ADA.**

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

12 “(D)(i) *The Secretary of the Interior shall, expe-*
13 *ditiously after the expiration of the applicable 30-day*
14 *period under subsection (d)(2), issue a permit for the*
15 *importation of any polar bear part (other than an in-*
16 *ternal organ) from a polar bear taken in a sport hunt*
17 *in Canada to any person—*

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

21 “(II) *who has submitted, in support of a*
22 *permit application submitted before May 15,*
23 *2008, proof that the polar bear was legally har-*
24 *vested by the person before May 15, 2008, from*
25 *a polar bear population from which a sport-*

1 *hunted trophy could be imported before that date*
2 *in accordance with section 18.30(i) of title 50,*
3 *Code of Federal Regulations.*

4 “(ii) *The Secretary shall issue permits under*
5 *clause (i)(I) without regard to subparagraphs (A) and*
6 *(C)(ii) of this paragraph, subsection (d)(3), and sec-*
7 *tions 101 and 102. Sections 101(a)(3)(B) and*
8 *102(b)(3) shall not apply to the importation of any*
9 *polar bear part authorized by a permit issued under*
10 *clause (i)(I). This clause shall not apply to polar bear*
11 *parts that were imported before June 12, 1997.*

12 “(iii) *The Secretary shall issue permits under*
13 *clause (i)(II) without regard to subparagraph (C)(ii)*
14 *of this paragraph or subsection (d)(3). Sections*
15 *101(a)(3)(B) and 102(b)(3) shall not apply to the im-*
16 *portation of any polar bear part authorized by a per-*
17 *mit issued under clause (i)(II). This clause shall not*
18 *apply to polar bear parts that were imported before*
19 *the date of enactment of the Polar Bear Conservation*
20 *and Fairness Act of 2012.”.*

1 **TITLE IV—HUNTING, FISHING,**
2 **AND RECREATIONAL SHOOT-**
3 **ING PROTECTION**

4 **SEC. 401. SHORT TITLE.**

5 *This title may be cited as the “Hunting, Fishing, and*
6 *Recreational Shooting Protection Act”.*

7 **SEC. 402. MODIFICATION OF DEFINITION.**

8 *Section 3(2)(B) of the Toxic Substances Control Act*
9 *(15 U.S.C. 2602(2)(B)) is amended—*

10 *(1) in clause (v), by striking “, and” and insert-*
11 *ing “, or any component of any such article includ-*
12 *ing, without limitation, shot, bullets and other projec-*
13 *tiles, propellants, and primers,”;*

14 *(2) in clause (vi) by striking the period at the*
15 *end and inserting “, and”;* and

16 *(3) by inserting after clause (vi) the following:*

17 *“(vii) any sport fishing equipment (as*
18 *such term is defined in subparagraph (a) of*
19 *section 4162 of the Internal Revenue Code*
20 *of 1986) the sale of which is subject to the*
21 *tax imposed by section 4161(a) of such Code*
22 *(determined without regard to any exemp-*
23 *tions from such tax as provided by section*
24 *4162 or 4221 or any other provision of such*

1 *Code), and sport fishing equipment compo-*
2 *nents.”.*

Union Calendar No. 293

112TH CONGRESS
2^D SESSION

H. R. 4089

[Report No. 112-426, Part I]

A BILL

To protect and enhance opportunities for recreational hunting, fishing and shooting.

APRIL 13, 2012

Reported from the Committee on Natural Resources with
an amendment

APRIL 13, 2012

The Committees on Agriculture and Energy and Commerce discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed