

113TH CONGRESS  
1ST SESSION

# S. 1660

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

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## IN THE SENATE OF THE UNITED STATES

NOVEMBER 6, 2013

Mrs. HAGAN (for herself, Mr. PRYOR, Mr. BEGICH, Mr. HEINRICH, Mr. TESTER, Mr. UDALL of Colorado, and Mr. WARNER) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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## A BILL

To protect and enhance opportunities for recreational hunting, fishing, and shooting, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Sportsmen’s and Public Outdoor Recreation Traditions  
6 Act” or the “SPORT Act”.

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

Sec. 1. Short title; table of contents.

- Sec. 101. Exemption of certain payments from sequestration.  
 Sec. 102. Modification of definition of sport fishing equipment under the Toxic Substances Control Act.  
 Sec. 103. Electronic duck stamps.  
 Sec. 104. Permits for importation of polar bear trophies taken in sport hunts in Canada.  
 Sec. 105. Target practice and marksmanship training on Federal land.  
 Sec. 106. Taking of migratory game birds.  
 Sec. 107. Annual permit and fee for film crews of 5 persons or fewer.

#### TITLE II—IMPROVING ACCESS

- Sec. 201. Availability of Land and Water Conservation Fund for recreational public access projects.  
 Sec. 202. Federal Land Transaction Facilitation Act.  
 Sec. 203. Recreational fishing, hunting, and recreational shooting on Federal public land.  
 Sec. 204. Reports on access to Federal public land for hunters, anglers, and other outdoor recreational users.

#### TITLE III—HABITAT CONSERVATION

- Sec. 301. North American Wetlands Conservation Act.  
 Sec. 302. National Fish and Wildlife Foundation Establishment Act.  
 Sec. 303. Multinational Species Conservation Funds Semipostal Stamp Act of 2010.  
 Sec. 304. Partners for Fish and Wildlife Act.

## 1                   **TITLE I—REGULATORY** 2                   **REFORMS**

### 3 **SEC. 101. EXEMPTION OF CERTAIN PAYMENTS FROM SE-** 4                   **QUESTRATION.**

5                   (a) IN GENERAL.—Section 255(g)(1)(A) of the Bal-  
 6 anced Budget and Emergency Deficit Control Act (2  
 7 U.S.C. 905(g)(1)(A)) is amended—

8                   (1) by inserting after “Farm Credit System In-  
 9 surance Corporation, Farm Credit Insurance Fund  
 10 (78–4171–0–3–351).” the following:

11                   “Federal Aid in Wildlife Restoration (14–  
 12                   5029–0–2–303).”;

1           (2) by inserting after “Soldiers and Airmen’s  
2           Home, payment of claims (84–8930–0–7–705).” the  
3           following:

4                     “Sport Fish Restoration (14–8151–0–7–  
5                     303).”; and

6           (3) by adding at the end the following:

7                     “Wildlife Restoration (14–5029–0–303).”.

8           (b) **APPLICABILITY.**—The amendments made by this  
9           section shall apply to any sequestration order issued under  
10          the Balanced Budget and Emergency Deficit Control Act  
11          of 1985 (2 U.S.C. 900 et seq.) on or after the date of  
12          enactment of this Act.

13          **SEC. 102. MODIFICATION OF DEFINITION OF SPORT FISH-**  
14                                 **ING EQUIPMENT UNDER THE TOXIC SUB-**  
15                                 **STANCES CONTROL ACT.**

16          Section 3(2)(B) of the Toxic Substances Control Act  
17          (15 U.S.C. 2602(2)(B)) is amended—

18                     (1) in clause (v), by striking “, and” and insert-  
19                     ing “, or any component of any such article includ-  
20                     ing, without limitation, shot, bullets and other pro-  
21                     jectiles, propellants, and primers,”;

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

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

1           “(vii) any sport fishing equipment (as such  
2 term is defined in subparagraph (a) of section 4162  
3 of the Internal Revenue Code of 1986) the sale of  
4 which is subject to the tax imposed by section  
5 4161(a) of such Code (determined without regard to  
6 any exemptions from such tax as provided by section  
7 4162 or 4221 or any other provision of such Code),  
8 and sport fishing equipment components.”.

9 **SEC. 103. ELECTRONIC DUCK STAMPS.**

10 (a) DEFINITIONS.—In this section:

11           (1) ACTUAL STAMP.—The term “actual stamp”  
12 means a Federal migratory-bird hunting and con-  
13 servation stamp required under the Act of March  
14 16, 1934 (16 U.S.C. 718a et seq.) (popularly known  
15 as the “Duck Stamp Act”), that is printed on paper  
16 and sold through the means established by the au-  
17 thority of the Secretary immediately before the date  
18 of enactment of this Act.

19           (2) AUTOMATED LICENSING SYSTEM.—

20           (A) IN GENERAL.—The term “automated  
21 licensing system” means an electronic, comput-  
22 erized licensing system used by a State fish and  
23 wildlife agency to issue hunting, fishing, and  
24 other associated licenses and products.

1 (B) INCLUSION.—The term “automated li-  
2 censing system” includes a point-of-sale, Inter-  
3 net, telephonic system, or other electronic appli-  
4 cations used for a purpose described in sub-  
5 paragraph (A).

6 (3) ELECTRONIC STAMP.—The term “electronic  
7 stamp” means an electronic version of an actual  
8 stamp that—

9 (A) is a unique identifier for the individual  
10 to whom it is issued;

11 (B) can be printed on paper or produced  
12 through an electronic application with the same  
13 indicators as the State endorsement provides;

14 (C) is issued through a State automated li-  
15 censing system that is authorized, under State  
16 law and by the Secretary under this section, to  
17 issue electronic stamps;

18 (D) is compatible with the hunting licens-  
19 ing system of the State that issues the elec-  
20 tronic stamp; and

21 (E) is described in the State application  
22 approved by the Secretary under subsection  
23 (c)(3).

24 (4) SECRETARY.—The term “Secretary” means  
25 the Secretary of the Interior.

1 (b) AUTHORITY TO ISSUE ELECTRONIC DUCK  
2 STAMPS.—

3 (1) IN GENERAL.—The Secretary may author-  
4 ize any State to issue electronic stamps in accord-  
5 ance with this section.

6 (2) CONSULTATION.—The Secretary shall im-  
7 plement this section in consultation with State man-  
8 agement agencies.

9 (c) STATE APPLICATION.—

10 (1) APPROVAL OF APPLICATION REQUIRED.—  
11 The Secretary may not authorize a State to issue  
12 electronic stamps under this section unless the Sec-  
13 retary has received and approved an application sub-  
14 mitted by the State in accordance with this section.

15 (2) NUMBER OF NEW STATES.—The Secretary  
16 may determine the number of new States per year  
17 to participate in the electronic stamp program.

18 (3) CONTENTS OF APPLICATION.—The Sec-  
19 retary may not approve a State application unless  
20 the application contains—

21 (A) a description of the format of the elec-  
22 tronic stamp that the State will issue under this  
23 section, including identifying features of the li-  
24 censee that will be specified on the stamp;

1 (B) a description of any fee the State will  
2 charge for issuance of an electronic stamp;

3 (C) a description of the process the State  
4 will use to account for and transfer to the Sec-  
5 retary the amounts collected by the State that  
6 are required to be transferred to the Secretary  
7 under the program;

8 (D) the manner by which the State will  
9 transmit electronic stamp customer data to the  
10 Secretary;

11 (E) the manner by which actual stamps  
12 will be delivered;

13 (F) the policies and procedures under  
14 which the State will issue duplicate electronic  
15 stamps; and

16 (G) such other policies, procedures, and in-  
17 formation as may be reasonably required by the  
18 Secretary.

19 (4) PUBLICATION OF DEADLINES, ELIGIBILITY  
20 REQUIREMENTS, AND SELECTION CRITERIA.—Not  
21 later than 30 days before the date on which the Sec-  
22 retary begins accepting applications under this sec-  
23 tion, the Secretary shall publish—

24 (A) deadlines for submission of applica-  
25 tions;

1 (B) eligibility requirements for submitting  
2 applications; and

3 (C) criteria for approving applications.

4 (d) STATE OBLIGATIONS AND AUTHORITIES.—

5 (1) DELIVERY OF ACTUAL STAMP.—The Sec-  
6 retary shall require that each individual to whom a  
7 State sells an electronic stamp under this section  
8 shall receive an actual stamp—

9 (A) by not later than the date on which  
10 the electronic stamp expires under subsection  
11 (e)(3); and

12 (B) in a manner agreed upon by the State  
13 and Secretary.

14 (2) COLLECTION AND TRANSFER OF ELEC-  
15 TRONIC STAMP REVENUE AND CUSTOMER INFORMA-  
16 TION.—

17 (A) REQUIREMENT TO TRANSMIT.—The  
18 Secretary shall require each State authorized to  
19 issue electronic stamps to collect and submit to  
20 the Secretary in accordance with this sub-  
21 section—

22 (i) the first name, last name, and  
23 complete mailing address of each individual  
24 that purchases an electronic stamp from  
25 the State;



1 (ii) the face value amount of each  
2 electronic stamp sold by the State; and

3 (iii) the amount of the Federal por-  
4 tion of any fee required by the agreement  
5 for each stamp sold.

6 (B) TIME OF TRANSMITTAL.—The Sec-  
7 retary shall require the submission under sub-  
8 paragraph (A) to be made with respect to sales  
9 of electronic stamps by a State according to the  
10 written agreement between the Secretary and  
11 the State agency.

12 (C) ADDITIONAL FEES NOT AFFECTED.—  
13 This section shall not apply to the State portion  
14 of any fee collected by a State under paragraph  
15 (3).

16 (3) ELECTRONIC STAMP ISSUANCE FEE.—A  
17 State authorized to issue electronic stamps may  
18 charge a reasonable fee to cover costs incurred by  
19 the State and the Department of the Interior in  
20 issuing electronic stamps under this section, includ-  
21 ing costs of delivery of actual stamps.

22 (4) DUPLICATE ELECTRONIC STAMPS.—A State  
23 authorized to issue electronic stamps may issue a  
24 duplicate electronic stamp to replace an electronic  
25 stamp issued by the State that is lost or damaged.

1           (5) LIMITATION ON AUTHORITY TO REQUIRE  
2 PURCHASE OF STATE LICENSE.—A State may not  
3 require that an individual purchase a State hunting  
4 license as a condition of issuing an electronic stamp  
5 under this section.

6           (e) ELECTRONIC STAMP REQUIREMENTS; RECOGNI-  
7 TION OF ELECTRONIC STAMP.—

8           (1) STAMP REQUIREMENTS.—The Secretary  
9 shall require an electronic stamp issued by a State  
10 under this section—

11                   (A) to have the same format as any other  
12 license, validation, or privilege the State issues  
13 under the automated licensing system of the  
14 State; and

15                   (B) to specify identifying features of the li-  
16 censee that are adequate to enable Federal,  
17 State, and other law enforcement officers to  
18 identify the holder.

19           (2) RECOGNITION OF ELECTRONIC STAMP.—  
20 Any electronic stamp issued by a State under this  
21 section shall, during the effective period of the elec-  
22 tronic stamp—

23                   (A) bestow upon the licensee the same  
24 privileges as are bestowed by an actual stamp;

1           (B) be recognized nationally as a valid  
2           Federal migratory bird hunting and conserva-  
3           tion stamp; and

4           (C) authorize the licensee to hunt migra-  
5           tory waterfowl in any other State, in accordance  
6           with the laws of the other State governing that  
7           hunting.

8           (3) DURATION.—An electronic stamp issued by  
9           a State shall be valid for a period agreed to by the  
10          State and the Secretary, which shall not exceed 45  
11          days.

12          (f) TERMINATION OF STATE PARTICIPATION.—The  
13          authority of a State to issue electronic stamps under this  
14          section may be terminated—

15               (1) by the Secretary, if the Secretary—

16                       (A) finds that the State has violated any of  
17                       the terms of the application of the State ap-  
18                       proved by the Secretary under subsection (c);  
19                       and

20                       (B) provides to the State written notice of  
21                       the termination by not later than the date that  
22                       is 30 days before the date of termination; or

23               (2) by the State, by providing written notice to  
24               the Secretary by not later than the date that is 30  
25               days before the termination date.

1 **SEC. 104. PERMITS FOR IMPORTATION OF POLAR BEAR**  
2 **TROPHIES TAKEN IN SPORT HUNTS IN CAN-**  
3 **ADA.**

4 Section 104(c)(5) of the Marine Mammal Protection  
5 Act of 1972 (16 U.S.C. 1374(c)(5)) is amended by strik-  
6 ing subparagraph (D) and inserting the following:

7 “(D) POLAR BEAR PARTS.—

8 “(i) IN GENERAL.—Notwithstanding  
9 subparagraphs (A) and (C)(ii), subsection  
10 (d)(3), and sections 101 and 102, the Sec-  
11 retary of the Interior shall, expeditiously  
12 after the date on which the expiration of  
13 the applicable 30-day period described in  
14 subsection (d)(2) expires, issue a permit  
15 for the importation of any polar bear part  
16 (other than an internal organ) from a  
17 polar bear taken in a sport hunt in Canada  
18 to any person—

19 “(I) who submits, with the per-  
20 mit application, proof that the polar  
21 bear was legally harvested by the per-  
22 son before February 18, 1997; or

23 “(II) who submitted, with a per-  
24 mit application submitted before May  
25 15, 2008, proof that the polar bear  
26 was legally harvested from a polar

1 bear population from which a sport-  
2 hunted trophy could be imported be-  
3 fore May 15, 2008, in accordance  
4 with section 18.30(i) of title 50, Code  
5 of Federal Regulations (or a successor  
6 regulation) by the person before May  
7 15, 2008.

8 “(ii) APPLICABILITY OF PROHIBITION  
9 ON THE IMPORTATION OF A DEPLETED  
10 SPECIES.—

11 “(I) PARTS LEGALLY HARVESTED  
12 BEFORE FEBRUARY 18, 1997.—

13 “(aa) IN GENERAL.—Sec-  
14 tions 101(a)(3)(B) and 102(b)(3)  
15 shall not apply to the importation  
16 of any polar bear part authorized  
17 by a permit issued under clause  
18 (i)(I).

19 “(bb) APPLICABILITY.—  
20 Item (aa) shall not apply to polar  
21 bear parts imported before June  
22 12, 1997.

23 “(II) PARTS LEGALLY HAR-  
24 VESTED BEFORE MAY 15, 2008.—

1                   “(aa) IN GENERAL.—Sec-  
 2                   tions 101(a)(3)(B) and 102(b)(3)  
 3                   shall not apply to the importation  
 4                   of any polar bear part authorized  
 5                   by a permit issued under clause  
 6                   (i)(II).

7                   “(bb) APPLICABILITY.—  
 8                   Item (aa) shall not apply to polar  
 9                   bear parts imported before the  
 10                  date of enactment of the SPORT  
 11                  Act.”.

12 **SEC. 105. TARGET PRACTICE AND MARKSMANSHIP TRAIN-**  
 13 **ING ON FEDERAL LAND.**

14 (a) FINDINGS; PURPOSE.—

15 (1) FINDINGS.—Congress finds that—

16 (A) the use of firearms and archery equip-  
 17                  ment for target practice and marksmanship  
 18                  training activities on Federal land is allowed,  
 19                  except to the extent specific portions of that  
 20                  land have been closed to those activities;

21 (B) in recent years preceding the date of  
 22                  enactment of this Act, portions of Federal land  
 23                  have been closed to target practice and marks-  
 24                  manship training for many reasons;

1           (C) the availability of public target ranges  
2 on non-Federal land has been declining for a  
3 variety of reasons, including continued popu-  
4 lation growth and development near former  
5 ranges;

6           (D) providing opportunities for target  
7 practice and marksmanship training at public  
8 target ranges on Federal and non-Federal land  
9 can help—

10                 (i) to promote enjoyment of shooting,  
11 recreational, and hunting activities; and

12                 (ii) to ensure safe and convenient lo-  
13 cations for those activities;

14           (E) Federal law in effect on the date of en-  
15 actment of this Act, including the Pittman-Rob-  
16 ertson Wildlife Restoration Act (16 U.S.C. 669  
17 et seq.), provides Federal support for construc-  
18 tion and expansion of public target ranges by  
19 making available to States amounts that may  
20 be used for construction, operation, and mainte-  
21 nance of public target ranges; and

22           (F) it is in the public interest to provide  
23 increased Federal support to facilitate the con-  
24 struction or expansion of public target ranges.

1           (2) PURPOSE.—The purpose of this section is  
2           to facilitate the construction and expansion of public  
3           target ranges, including ranges on Federal land  
4           managed by the Forest Service and the Bureau of  
5           Land Management.

6           (b) DEFINITION OF PUBLIC TARGET RANGE.—In  
7           this section, the term “public target range” means a spe-  
8           cific location that—

9                   (1) is identified by a governmental agency for  
10           recreational shooting;

11                   (2) is open to the public;

12                   (3) may be supervised; and

13                   (4) may accommodate archery or rifle, pistol, or  
14           shotgun shooting.

15           (c) AMENDMENTS TO PITTMAN-ROBERTSON WILD-  
16           LIFE RESTORATION ACT.—

17                   (1) DEFINITIONS.—Section 2 of the Pittman-  
18           Robertson Wildlife Restoration Act (16 U.S.C.  
19           669a) is amended—

20                           (A) by redesignating paragraphs (2)  
21                           through (8) as paragraphs (3) through (9), re-  
22                           spectively; and

23                           (B) by inserting after paragraph (1) the  
24                           following:



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

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

5           “(B) is open to the public;

6           “(C) may be supervised; and

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

9           (2) EXPENDITURES FOR MANAGEMENT OF  
10 WILDLIFE AREAS AND RESOURCES.—Section 8(b) of  
11 the Pittman-Robertson Wildlife Restoration Act (16  
12 U.S.C. 669g(b)) is amended—

13           (A) by striking “(b) Each State” and in-  
14 serting the following:

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

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

19           (B) in paragraph (1) (as so designated), by  
20 striking “construction, operation,” and insert-  
21 ing “operation”;

22           (C) in the second sentence, by striking  
23 “The non-Federal share” and inserting the fol-  
24 lowing:

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

3           (D) in the third sentence, by striking “The  
4 Secretary” and inserting the following:

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

6           (E) by inserting after paragraph (1) (as  
7 designated by subparagraph (A)) the following:

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

12           (3) FIREARM AND BOW HUNTER EDUCATION  
13 AND SAFETY PROGRAM GRANTS.—Section 10 of the  
14 Pittman-Robertson Wildlife Restoration Act (16  
15 U.S.C. 669h-1) is amended—

16           (A) in subsection (a), by adding at the end  
17 the following:

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

1 (B) by striking subsection (b) and insert-  
2 ing the following:

3 “(b) COST SHARING.—

4 “(1) IN GENERAL.—Except as provided in para-  
5 graph (2), the Federal share of the cost of any activ-  
6 ity carried out using a grant under this section shall  
7 not exceed 75 percent of the total cost of the activ-  
8 ity.

9 “(2) PUBLIC TARGET RANGE CONSTRUCTION OR  
10 EXPANSION.—The Federal share of the cost of ac-  
11 quiring land for, expanding, or constructing a public  
12 target range in a State on Federal or non-Federal  
13 land pursuant to this section or section 8(b) shall  
14 not exceed 90 percent of the cost of the activity.”;  
15 and

16 (C) in subsection (c)(1)—

17 (i) by striking “Amounts made” and  
18 inserting the following:

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

21 (ii) by adding at the end the fol-  
22 lowing:

23 “(B) EXCEPTION.—Amounts provided for  
24 acquiring land for, constructing, or expanding a  
25 public target range shall remain available for

1 expenditure and obligation during the 5-fiscal-  
2 year period beginning on October 1 of the first  
3 fiscal year for which the amounts are made  
4 available.”.

5 (d) SENSE OF CONGRESS REGARDING COOPERA-  
6 TION.—It is the sense of Congress that, consistent with  
7 applicable laws (including regulations), the Chief of the  
8 Forest Service and the Director of the Bureau of Land  
9 Management should cooperate with State and local au-  
10 thorities and other entities to carry out waste removal and  
11 other activities on any Federal land used as a public target  
12 range to encourage continued use of that land for target  
13 practice or marksmanship training.

14 **SEC. 106. TAKING OF MIGRATORY GAME BIRDS.**

15 Section 3 of the Migratory Bird Treaty Act (16  
16 U.S.C. 704) is amended by adding at the end the fol-  
17 lowing:

18 “(c) EXEMPTIONS ON CERTAIN LAND.—

19 “(1) IN GENERAL.—Nothing in this section pro-  
20 hibits the taking of any migratory game bird, includ-  
21 ing waterfowl, coots, and cranes, on or over land  
22 that—

23 “(A) is not a baited area; and

24 “(B) contains—

1                   “(i) a standing crop or flooded stand-  
2                   ing crop, including an aquatic crop;

3                   “(ii) standing, flooded, or manipulated  
4                   natural vegetation;

5                   “(iii) flooded harvested cropland; or

6                   “(iv) based on the determination of  
7                   the applicable State office of the Coopera-  
8                   tive Extension System of the Department  
9                   of Agriculture at the request of the Sec-  
10                  retary of the Interior, an area on which  
11                  seed or grain has been scattered solely as  
12                  the result of a normal agricultural plant-  
13                  ing, harvesting, post-harvest manipulation,  
14                  or normal soil stabilization practice.

15                  “(2) DETERMINATIONS.—

16                  “(A) IN GENERAL.—For purposes of mak-  
17                  ing a determination under paragraph  
18                  (1)(B)(iv), each State office of the Cooperative  
19                  Extension System of the Department of Agri-  
20                  culture shall determine the activities in that  
21                  State that the State office considers to be a  
22                  normal agricultural practice in the State, such  
23                  as mowing, shredding, discing, rolling, chop-  
24                  ping, trampling, flattening, burning, or carrying  
25                  out herbicide treatment.

1           “(B) REVISIONS.—A State office may re-  
 2           vise a report described in subparagraph (A) as  
 3           the State office determines to be necessary to  
 4           reflect changing agricultural practices.”.

5 **SEC. 107. ANNUAL PERMIT AND FEE FOR FILM CREWS OF**  
 6           **5 PERSONS OR FEWER.**

7           (a) PURPOSE.—The purpose of this section is to pro-  
 8           vide commercial film crews of 5 persons or fewer access  
 9           to film in areas designated for public use during public  
 10          hours on Federal land and waterways.

11          (b) SPECIAL RULES.—Section 1(a) of Public Law  
 12          106–206 (16 U.S.C. 460l–6d(a)) is amended—

13                 (1) by redesignating paragraphs (1), (2), and  
 14                 (3) as subparagraphs (A), (B), and (C), respectively,  
 15                 and indenting appropriately;

16                 (2) in the first sentence, by striking “The Sec-  
 17                 retary of the Interior” and inserting the following:

18                         “(1) IN GENERAL.—Except as provided in para-  
 19                         graph (4), the Secretary of the Interior”;

20                 (3) in the second sentence, by striking “Such  
 21                 fee” and inserting the following:

22                         “(2) CRITERIA.—The fee established under  
 23                         paragraph (1)”;

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

1           “(3) OTHER CONSIDERATIONS.—The Secretary  
2           may”;

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

4           “(4) SPECIAL RULES FOR FILM CREWS OF 5  
5           PERSONS OR FEWER.—

6                   “(A) DEFINITION OF FILM CREW.—In this  
7           paragraph, the term ‘film crew’ means any per-  
8           sons present on Federal land or waterways  
9           under the jurisdiction of the Secretary who are  
10          associated with the production of a film.

11                   “(B) REQUIRED PERMIT AND FEE.—For  
12          any film crew of 5 persons or fewer, the Sec-  
13          retary shall require a permit and assess an an-  
14          nual fee of \$200 for commercial filming activi-  
15          ties or similar projects on Federal land and wa-  
16          terways administered by the Secretary.

17                   “(C) COMMERCIAL FILMING ACTIVITIES.—  
18          A permit issued under subparagraph (B) shall  
19          be valid for commercial filming activities or  
20          similar projects that occur in areas designated  
21          for public use during public hours on all Fed-  
22          eral land and waterways administered by the  
23          Secretary for a 1-year period beginning on the  
24          date of issuance of the permit.

1           “(D) NO ADDITIONAL FEES.—For persons  
2 holding a permit issued under this paragraph,  
3 during the effective period of the permit, the  
4 Secretary shall not assess any fees in addition  
5 to the fee assessed under subparagraph (B).

6           “(E) USE OF CAMERAS.—The Secretary  
7 shall not prohibit, as a mechanized apparatus  
8 or under any other purposes, use of cameras or  
9 related equipment used for the purpose of com-  
10 mercial filming activities or similar projects in  
11 accordance with this paragraph on Federal land  
12 and waterways administered by the Secretary.

13           “(F) NOTIFICATION REQUIRED.—A film  
14 crew of 5 persons or fewer subject to a permit  
15 issued under this paragraph shall notify the ap-  
16 plicable land management agency with jurisdic-  
17 tion over the Federal land at least 48 hours be-  
18 fore entering the Federal land.

19           “(G) DENIAL OF ACCESS.—The head of  
20 the applicable land management agency may  
21 deny access to a film crew under this paragraph  
22 if—

23                   “(i) there is a likelihood of resource  
24 damage that cannot be mitigated;



1                   “(ii) there would be an unreasonable  
2                   disruption of the use and enjoyment of the  
3                   site by the public;

4                   “(iii) the activity poses health or safe-  
5                   ty risks to the public; or

6                   “(iv) the filming includes the use of  
7                   models or props that are not part of the  
8                   natural or cultural resources or adminis-  
9                   trative facilities of the Federal land.”.

10           (c) RECOVERY OF COSTS.—Section 1(b) of Public  
11 Law 106–206 (16 U.S.C. 460l–6d(b)) is amended in the  
12 first sentence—

13                   (1) by striking “collect any costs” and inserting  
14                   “recover any costs”; and

15                   (2) by striking “similar project” and inserting  
16                   “similar projects”.

## 17       **TITLE II—IMPROVING ACCESS**

### 18       **SEC. 201. AVAILABILITY OF LAND AND WATER CONSERVA-** 19                   **TION FUND FOR RECREATIONAL PUBLIC AC-** 20                   **CESS PROJECTS.**

21           (a) AVAILABILITY OF FUNDS.—Section 3 of the Land  
22 and Water Conservation Fund Act of 1965 (16 U.S.C.  
23 460l–6) is amended to read as follows:

1 **“SEC. 3. AVAILABILITY OF FUNDS FOR CERTAIN PROJECTS.**

2       “(a) IN GENERAL.—Notwithstanding any other pro-  
3 vision of this Act, the Secretary of the Interior and the  
4 Secretary of Agriculture shall ensure that, of the amounts  
5 requested for the fund for each fiscal year, not less than  
6 the greater of 1.5 percent of the amounts or \$10,000,000  
7 shall be made available for projects identified on the pri-  
8 ority list developed under subsection (b).

9       “(b) PRIORITY LIST.—The Secretary of the Interior  
10 and the Secretary of Agriculture, in consultation with the  
11 head of each affected Federal agency, shall annually de-  
12 velop a priority list for the sites under the jurisdiction of  
13 the applicable Secretary.

14       “(c) CRITERIA.—Projects identified on the priority  
15 list developed under subsection (b) shall secure rec-  
16 reational public access to Federal public land in existence  
17 as of the date of enactment of this section that has signifi-  
18 cantly restricted access for hunting, fishing, and other rec-  
19 reational purposes through rights-of-way or acquisition of  
20 land (or any interest in land) from willing sellers.”.

21       (b) CONFORMING AMENDMENTS.—The Land and  
22 Water Conservation Fund Act of 1965 (16 U.S.C. 460l–  
23 4 et seq.) is amended—

24               (1) in the proviso at the end of section 2(c)(2)  
25               (16 U.S.C. 460l–5(c)(2)), by striking “notwith-  
26               standing the provisions of section 3 of this Act”;

1           (2) in the first sentence of section 9 (16 U.S.C.  
2           460l–10a), by striking “by section 3 of this Act”;  
3           and

4           (3) in the third sentence of section 10 (16  
5           U.S.C. 460l–10b), by striking “by section 3 of this  
6           Act”.

7   **SEC. 202. FEDERAL LAND TRANSACTION FACILITATION**  
8           **ACT.**

9           The Federal Land Transaction Facilitation Act is  
10          amended—

11           (1) in section 203(2) (43 U.S.C. 2302(2)), by  
12           striking “on the date of enactment of this Act was”  
13           and inserting “is”;

14           (2) in section 205 (43 U.S.C. 2304)—

15           (A) in subsection (a), by striking “(as in  
16           effect on the date of enactment of this Act)”;  
17           and

18           (B) by striking subsection (d);

19           (3) in section 206 (43 U.S.C. 2305), by striking  
20           subsection (f); and

21           (4) in section 207(b) (43 U.S.C. 2306(b))—

22           (A) in paragraph (1)—

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

1 (ii) by striking “; or” and inserting a  
2 semicolon;

3 (B) in paragraph (2)—

4 (i) by inserting “Public Law 105–  
5 263;” before “112 Stat.”; and

6 (ii) by striking the period at the end  
7 and inserting a semicolon; and

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

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

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

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

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

21 “(7) section 2601 of the Omnibus Public Land  
22 Management Act of 2009 (Public Law 111–11; 123  
23 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 **SEC. 203. RECREATIONAL FISHING, HUNTING, AND REC-**  
5 **REATIONAL SHOOTING ON FEDERAL PUBLIC**  
6 **LAND.**

7 (a) DEFINITIONS.—In this section:

8 (1) FEDERAL PUBLIC LAND.—

9 (A) IN GENERAL.—The term “Federal  
10 public land” means any land or water that is—

11 (i) owned by the United States; and

12 (ii) managed by a Federal agency (in-  
13 cluding the Department of the Interior and  
14 the Forest Service) for purposes that in-  
15 clude the conservation of natural resources.

16 (B) EXCLUSIONS.—The term “Federal  
17 public land” does not include—

18 (i) land or water held or managed in  
19 trust for the benefit of Indians or other  
20 Native Americans;

21 (ii) land or water managed by the Di-  
22 rector of the National Park Service or the  
23 Director of the United States Fish and  
24 Wildlife Service;

25 (iii) fish hatcheries; or

1 (iv) conservation easements on private  
2 land.

3 (2) HUNTING.—

4 (A) IN GENERAL.—The term “hunting”  
5 means use of a firearm, bow, or other author-  
6 ized means in the lawful—

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

9 (ii) attempt to pursue, shoot, capture,  
10 collect, trap, or kill wildlife.

11 (B) EXCLUSION.—The term “hunting”  
12 does not include the use of skilled volunteers to  
13 cull excess animals (as defined by other Federal  
14 law).

15 (3) RECREATIONAL FISHING.—The term “rec-  
16 reational fishing” means—

17 (A) an activity for sport or for pleasure  
18 that involves—

19 (i) the lawful catching, taking, or har-  
20 vesting of fish; or

21 (ii) the lawful attempted catching,  
22 taking, or harvesting of fish; or

23 (B) any other activity for sport or pleasure  
24 that can reasonably be expected to result in the  
25 lawful catching, taking, or harvesting of fish.

1           (4) 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           (b) RECREATIONAL FISHING, HUNTING, AND REC-  
7 RECREATIONAL SHOOTING.—

8           (1) IN GENERAL.—Subject to valid existing  
9           rights, and in cooperation with the respective State  
10          and fish and wildlife agency, a Federal public land  
11          management official shall exercise the authority of  
12          the official under existing law (including provisions  
13          regarding land use planning) to facilitate use of and  
14          access to Federal public land for recreational fish-  
15          ing, hunting, and recreational shooting except as  
16          limited by—

17                 (A) any law that authorizes action or with-  
18                 holding action for reasons of national security,  
19                 public safety, or resource conservation;

20                 (B) any other Federal law that precludes  
21                 recreational fishing, hunting, or recreational  
22                 shooting on specific Federal public land or  
23                 water or units of Federal public land; and

24                 (C) discretionary limitations on rec-  
25                 reational fishing, hunting, and recreational

1 shooting determined to be necessary and rea-  
2 sonable as supported by the best scientific evi-  
3 dence and advanced through a transparent pub-  
4 lic process.

5 (2) MANAGEMENT.—Consistent with paragraph  
6 (1), the head of each Federal public land manage-  
7 ment agency shall exercise the land management dis-  
8 cretion of the head—

9 (A) in a manner that supports and facili-  
10 tates recreational fishing, hunting, and rec-  
11 reational shooting opportunities;

12 (B) to the extent authorized under applica-  
13 ble State law; and

14 (C) in accordance with applicable Federal  
15 law.

16 (3) PLANNING.—

17 (A) EFFECTS OF PLANS AND ACTIVI-  
18 TIES.—

19 (i) EVALUATION OF EFFECTS ON OP-  
20 PORTUNITIES TO ENGAGE IN REC-  
21 REATIONAL FISHING, HUNTING, OR REC-  
22 REATIONAL SHOOTING.—Federal public  
23 land planning documents (including land  
24 resources management plans, resource  
25 management plans, travel management



1 plans, and energy development plans) shall  
2 include a specific evaluation of the effects  
3 of the plans on opportunities to engage in  
4 recreational fishing, hunting, or rec-  
5 reational shooting.

6 (ii) OTHER ACTIVITY NOT CONSID-  
7 ERED.—

8 (I) IN GENERAL.—Federal public  
9 land management officials shall not be  
10 required to consider the existence or  
11 availability of recreational fishing,  
12 hunting, or recreational shooting op-  
13 portunities on private or public land  
14 that is located adjacent to, or in the  
15 vicinity of, Federal public land for  
16 purposes of—

17 (aa) planning for or deter-  
18 mining which units of Federal  
19 public land are open for rec-  
20 reational fishing, hunting, or rec-  
21 reational shooting; or

22 (bb) setting the levels of use  
23 for recreational fishing, hunting,  
24 or recreational shooting on Fed-  
25 eral public land.

1 (II) ENHANCED OPPORTUNI-  
2 TIES.—Federal public land manage-  
3 ment officials may consider the oppor-  
4 tunities described in subclause (I) if  
5 the combination of those opportunities  
6 would enhance the recreational fish-  
7 ing, hunting, or shooting opportunities  
8 available to the public.

9 (B) USE OF VOLUNTEERS.—If hunting is  
10 prohibited by law, all Federal public land plan-  
11 ning documents described in subparagraph  
12 (A)(i) of an agency shall, after appropriate co-  
13 ordination with State fish and wildlife agencies,  
14 allow the participation of skilled volunteers in  
15 the culling and other management of wildlife  
16 populations on Federal public land unless the  
17 head of the agency demonstrates, based on the  
18 best scientific data available or applicable Fed-  
19 eral law, why skilled volunteers should not be  
20 used to control overpopulation of wildlife on the  
21 land that is the subject of the planning docu-  
22 ment.

23 (4) BUREAU OF LAND MANAGEMENT AND FOR-  
24 EST SERVICE LAND.—

25 (A) LAND OPEN.—

1 (i) IN GENERAL.—Land under the ju-  
2 risdiction of the Bureau of Land Manage-  
3 ment or the Forest Service (including a  
4 component of the National Wilderness  
5 Preservation System, land designated as a  
6 wilderness study area or administratively  
7 classified as wilderness eligible or suitable,  
8 and primitive or semiprimitive areas, but  
9 excluding land on the outer Continental  
10 Shelf) shall be open to recreational fishing,  
11 hunting, and recreational shooting unless  
12 the managing Federal public land agency  
13 acts to close the land to the activity.

14 (ii) MOTORIZED ACCESS.—Nothing in  
15 this subparagraph authorizes or requires  
16 motorized access or the use of motorized  
17 vehicles for recreational fishing, hunting,  
18 or recreational shooting purposes within  
19 land designated as a wilderness study area  
20 or administratively classified as wilderness  
21 eligible or suitable.

22 (B) CLOSURE OR RESTRICTION.—Land de-  
23 scribed in subparagraph (A)(i) may be subject  
24 to closures or restrictions if determined by the  
25 head of the agency to be necessary and reason-

1           able and supported by facts and evidence for  
2           purposes including resource conservation, public  
3           safety, energy or mineral production, energy  
4           generation or transmission infrastructure, water  
5           supply facilities, protection of other permittees,  
6           protection of private property rights or inter-  
7           ests, national security, or compliance with other  
8           law, as determined appropriate by the Director  
9           of the Bureau of Land Management or the  
10          Chief of the Forest Service, as applicable.

11                   (C) SHOOTING RANGES.—

12                   (i) IN GENERAL.—Except as provided  
13                   in clause (iii), the head of each Federal  
14                   public land agency may use the authorities  
15                   of the head, in a manner consistent with  
16                   this section and other applicable law—

17                           (I) to lease or permit use of land  
18                           under the jurisdiction of the head for  
19                           shooting ranges; and

20                           (II) to designate specific land  
21                           under the jurisdiction of the head for  
22                           recreational shooting activities.

23                   (ii) LIMITATION ON LIABILITY.—Any  
24                   designation under clause (i)(II) shall not  
25                   subject the United States to any civil ac-

1           tion or claim for monetary damages for in-  
2           jury or loss of property or personal injury  
3           or death caused by any recreational shoot-  
4           ing activity occurring at or on the des-  
5           ignated land.

6           (iii) EXCEPTION.—The head of each  
7           Federal public land agency shall not lease  
8           or permit use of Federal public land for  
9           shooting ranges or designate land for rec-  
10          reational shooting activities within includ-  
11          ing a component of the National Wilder-  
12          ness Preservation System, land designated  
13          as a wilderness study area or administra-  
14          tively classified as wilderness eligible or  
15          suitable, and primitive or semiprimitive  
16          areas.

17          (5) REPORT.—Not later than October 1 of  
18          every other year, beginning with the second October  
19          1 after the date of enactment of this Act, the head  
20          of each Federal public land agency who has author-  
21          ity to manage Federal public land on which rec-  
22          reational fishing, hunting, or recreational shooting  
23          occurs shall submit to the Committee on Natural  
24          Resources of the House of Representatives and the

1 Committee on Energy and Natural Resources of the  
2 Senate a report that describes—

3 (A) any Federal public land administered  
4 by the agency head that was closed to rec-  
5 reational fishing, hunting, or recreational shoot-  
6 ing at any time during the preceding year; and

7 (B) the reason for the closure.

8 (6) CLOSURES OR SIGNIFICANT RESTRICTIONS  
9 OF 1,280 OR MORE ACRES.—

10 (A) IN GENERAL.—Other than closures es-  
11 tablished or prescribed by land planning actions  
12 referred to in paragraph (4)(B) or emergency  
13 closures described in subparagraph (C), a per-  
14 manent or temporary withdrawal, change of  
15 classification, or change of management status  
16 of Federal public land or water that effectively  
17 closes or significantly restricts 1,280 or more  
18 contiguous acres of Federal public land or  
19 water to access or use for recreational fishing  
20 or hunting or activities relating to fishing or  
21 hunting shall take effect only if, before the date  
22 of withdrawal or change, the head of the Fed-  
23 eral public land agency that has jurisdiction  
24 over the Federal public land or water—

1 (i) publishes appropriate notice of the  
2 withdrawal or change, respectively;

3 (ii) demonstrates that coordination  
4 has occurred with a State fish and wildlife  
5 agency; and

6 (iii) submits to the Committee on  
7 Natural Resources of the House of Rep-  
8 resentatives and the Committee on Energy  
9 and Natural Resources of the Senate writ-  
10 ten notice of the withdrawal or change, re-  
11 spectively.

12 (B) AGGREGATE OR CUMULATIVE EF-  
13 FECTS.—If the aggregate or cumulative effect  
14 of separate withdrawals or changes effectively  
15 closes or significantly restricts or affects 1,280  
16 or more acres of land or water, the withdrawals  
17 and changes shall be treated as a single with-  
18 drawal or change for purposes of subparagraph  
19 (A).

20 (C) EMERGENCY CLOSURES.—

21 (i) IN GENERAL.—Nothing in this sec-  
22 tion prohibits a Federal public land man-  
23 agement agency from establishing or im-  
24 plementing emergency closures or restric-  
25 tions of the smallest practicable area of

1 Federal public land to provide for public  
2 safety, resource conservation, national se-  
3 curity, or other purposes authorized by  
4 law.

5 (ii) TERMINATION.—An emergency  
6 closure under clause (i) shall terminate  
7 after a reasonable period of time unless the  
8 temporary closure is converted to a perma-  
9 nent closure consistent with this section.

10 (7) NO PRIORITY.—Nothing in this section re-  
11 quires a Federal agency to give preference to rec-  
12 reational fishing, hunting, or recreational shooting  
13 over other uses of Federal public land or over land  
14 or water management priorities established by other  
15 Federal law.

16 (8) CONSULTATION WITH COUNCILS.—In car-  
17 rying out this section, the heads of Federal public  
18 land agencies shall consult with the appropriate ad-  
19 visory councils established under Executive Order  
20 12962 (16 U.S.C. 1801 note; relating to recreational  
21 fisheries) and Executive Order 13443 (16 U.S.C.  
22 661 note; relating to facilitation of hunting heritage  
23 and wildlife conservation).

24 (9) AUTHORITY OF STATES.—



1 (A) IN GENERAL.—Nothing in this section  
2 interferes with, diminishes, or conflicts with the  
3 authority, jurisdiction, or responsibility of any  
4 State to manage, control, or regulate fish and  
5 wildlife under State law (including regulations)  
6 on land or water within the State, including on  
7 Federal public land.

8 (B) FEDERAL LICENSES.—

9 (i) IN GENERAL.—Except as provided  
10 in clause (ii), nothing in this subsection  
11 authorizes the head of a Federal public  
12 land agency head to require a license, fee,  
13 or permit to fish, hunt, or trap on land or  
14 water in a State, including on Federal pub-  
15 lic land in the State.

16 (ii) MIGRATORY BIRD STAMPS.—Noth-  
17 ing in this subparagraph affects any mi-  
18 gratory bird stamp requirement of the Act  
19 of March 16, 1934 (16 U.S.C. 718a et  
20 seq.) (popularly known as the “Duck  
21 Stamp Act”).

22 **SEC. 204. REPORTS ON ACCESS TO FEDERAL PUBLIC LAND**  
23 **FOR HUNTERS, ANGLERS, AND OTHER OUT-**  
24 **DOOR RECREATIONAL USERS.**

25 (a) DEFINITIONS.—In this section:

1           (1) FEDERAL PUBLIC LAND MANAGEMENT  
2 AGENCY.—The term “Federal public land manage-  
3 ment agency” means any of—

4                   (A) the National Park Service;

5                   (B) the United States Fish and Wildlife  
6 Service;

7                   (C) the Forest Service; and

8                   (D) the Bureau of Land Management.

9           (2) TRAVEL MANAGEMENT PLAN.—The term  
10 “travel management plan” means a plan for the  
11 management of travel—

12                   (A) with respect to land under the jurisdic-  
13 tion of the National Park Service, on park  
14 roads and designated routes under section 4.10  
15 of title 36, Code of Federal Regulations (or suc-  
16 cessor regulations);

17                   (B) with respect to land under the jurisdic-  
18 tion of the United States Fish and Wildlife  
19 Service, on the land under a comprehensive con-  
20 servation plan prepared under section 4(e) of  
21 the National Wildlife Refuge System Adminis-  
22 tration Act of 1966 (16 U.S.C. 668dd(e));

23                   (C) with respect to land under the jurisdic-  
24 tion of the Forest Service, on National Forest  
25 System land under part 212 of title 36, Code

1 of Federal Regulations (or successor regula-  
2 tions); and

3 (D) with respect to land under the jurisdic-  
4 tion of the Bureau of Land Management, under  
5 a resource management plan developed under  
6 the Federal Land Policy and Management Act  
7 of 1976 (43 U.S.C. 1701 et seq.).

8 (b) REPORT ON PUBLIC ACCESS AND EGRESS TO  
9 FEDERAL PUBLIC LAND.—

10 (1) REPORT.—Not later than 180 days after  
11 the date of enactment of this Act, and annually  
12 thereafter, each head of a Federal public land man-  
13 agement agency shall make available to the public on  
14 the website of the Federal public land management  
15 agency a report that includes—

16 (A) a list of the location and acreage of  
17 land more than 640 acres in size under the ju-  
18 risdiction of the Federal public land manage-  
19 ment agency on which the public is allowed,  
20 under Federal or State law, to hunt, fish, or  
21 use the land for other recreational purposes—

22 (i) to which there is no public access  
23 or egress; or

24 (ii) to which public access or egress to  
25 the legal boundaries of the land is signifi-

1           cantly restricted (as determined by the  
2           head of the Federal public land manage-  
3           ment agency);

4           (B) with respect to land described in sub-  
5           paragraph (A), a list of the locations and acre-  
6           age on the land that the head of the Federal  
7           public land management agency determines  
8           have significant potential for use for hunting,  
9           fishing, and other recreational purposes; and

10          (C) with respect to land described in sub-  
11          paragraph (B), a plan developed by the Federal  
12          public land management agency that—

13               (i) identifies how public access and  
14               egress could reasonably be provided to the  
15               legal boundaries of the land in a manner  
16               that minimizes the impact on wildlife habi-  
17               tat and water quality;

18               (ii) specifies the actions recommended  
19               to secure the access and egress, including  
20               acquiring an easement, right-of-way, or fee  
21               title from a willing owner of any land that  
22               abuts the land or the need to coordinate  
23               with State land management agencies or  
24               other Federal or State governmental enti-

1                   ties to allow for such access and egress;  
2                   and

3                   (iii) is consistent with the travel man-  
4                   agement plan in effect on the land.

5                   (2) LIST OF PUBLIC ACCESS ROUTES FOR CER-  
6                   TAIN LAND.—Not later than 1 year after the date of  
7                   enactment of this Act, each head of a Federal public  
8                   land management agency shall make available to the  
9                   public on the website of the Federal public land  
10                  management agency, and thereafter revise as the  
11                  head of the Federal public land management agency  
12                  determines appropriate, a list of roads or trails that  
13                  provide the primary public access and egress to the  
14                  legal boundaries of contiguous parcels of land equal  
15                  to more than 640 acres in size under the jurisdiction  
16                  of the Federal public land management agency on  
17                  which the public is allowed, under Federal or State  
18                  law, to hunt, fish, or use the land for other rec-  
19                  reational purposes.

20                  (3) MEANS OF PUBLIC ACCESS AND EGRESS IN-  
21                  CLUDED.—In considering public access and egress  
22                  under paragraphs (1) and (2), the head of the appli-  
23                  cable Federal public land management agency shall  
24                  consider public access and egress to the legal bound-

aries of the land described in those subsections, including access and egress—

(A) by motorized or nonmotorized vehicles;

and

(B) on foot or horseback.

(4) EFFECT.—

(A) IN GENERAL.—This section shall have no effect on whether a particular recreational use shall be allowed on the land described in subparagraphs (A) and (B) of paragraph (1).

(B) EFFECT OF ALLOWABLE USES ON AGENCY CONSIDERATION.—In preparing the plan under paragraph (1)(C), the head of the applicable Federal public land management agency shall only consider recreational uses that are allowed on the land at the time that the plan is prepared.

## **TITLE III—HABITAT**

### **CONSERVATION**

**SEC. 301. NORTH AMERICAN WETLANDS CONSERVATION**

**ACT.**

Section 7(e)(5) of the North American Wetlands Conservation Act (16 U.S.C. 4406(e)(5)) is amended by striking “2012” and inserting “2017”.

1 **SEC. 302. NATIONAL FISH AND WILDLIFE FOUNDATION ES-**  
2 **TABLISHMENT ACT.**

3 (a) BOARD OF DIRECTORS OF THE FOUNDATION.—

4 (1) IN GENERAL.—Section 3 of the National  
5 Fish and Wildlife Foundation Establishment Act (16  
6 U.S.C. 3702) is amended—

7 (A) in subsection (b)—

8 (i) by striking paragraph (2) and in-  
9 serting the following:

10 “(2) IN GENERAL.—After consulting with the  
11 Secretary of Commerce and considering the rec-  
12 ommendations submitted by the Board, the Sec-  
13 retary of the Interior shall appoint 28 Directors  
14 who, to the maximum extent practicable, shall—

15 “(A) be knowledgeable and experienced in  
16 matters relating to the conservation of fish,  
17 wildlife, or other natural resources; and

18 “(B) represent a balance of expertise in  
19 ocean, coastal, freshwater, and terrestrial re-  
20 source conservation.”; and

21 (ii) by striking paragraph (3) and in-  
22 serting the following:

23 “(3) TERMS.—Each Director (other than a Di-  
24 rector described in paragraph (1)) shall be appointed  
25 for a term of 6 years.”; and

26 (B) in subsection (g)(2)—

1 (i) in subparagraph (A), by striking  
 2 “(A) Officers and employees may not be  
 3 appointed until the Foundation has suffi-  
 4 cient funds to pay them for their service.  
 5 Officers” and inserting the following:

6 “(A) IN GENERAL.—Officers”; and

7 (ii) by striking subparagraph (B) and  
 8 inserting the following:

9 “(B) EXECUTIVE DIRECTOR.—The Foun-  
 10 dation shall have an Executive Director who  
 11 shall be—

12 “(i) appointed by, and serve at the di-  
 13 rection of, the Board as the chief executive  
 14 officer of the Foundation; and

15 “(ii) knowledgeable and experienced in  
 16 matters relating to fish and wildlife con-  
 17 servation.”.

18 (2) CONFORMING AMENDMENT.—Section  
 19 4(a)(1)(B) of the North American Wetlands Con-  
 20 servation Act (16 U.S.C. 4403(a)(1)(B)) is amended  
 21 by striking “Secretary of the Board” and inserting  
 22 “Executive Director of the Board”.

23 (b) RIGHTS AND OBLIGATIONS OF THE FOUNDA-  
 24 TION.—Section 4 of the National Fish and Wildlife Foun-  
 25 dation Establishment Act (16 U.S.C. 3703) is amended—



1 (1) in subsection (c)—

2 (A) by striking “(c) POWERS.—To carry  
3 out its purposes under” and inserting the fol-  
4 lowing:

5 “(c) POWERS.—

6 “(1) IN GENERAL.—To carry out the purposes  
7 described in”;

8 (B) by redesignating paragraphs (1)  
9 through (11) as subparagraphs (A) through  
10 (K), respectively, and indenting appropriately;

11 (C) in subparagraph (D) (as redesignated  
12 by subparagraph (B)), by striking “that are in-  
13 sured by an agency or instrumentality of the  
14 United States” and inserting “at 1 or more fi-  
15 nancial institutions that are members of the  
16 Federal Deposit Insurance Corporation or the  
17 Securities Investment Protection Corporation”;

18 (D) in subparagraph (E) (as redesignated  
19 by subparagraph (B)), by striking “paragraph  
20 (3) or (4)” and inserting “subparagraph (C) or  
21 (D)”;

22 (E) in subparagraph (J) (as redesignated  
23 by subparagraph (B)), by striking “; and” and  
24 inserting a semicolon;

1 (F) by striking subparagraph (K) (as re-  
2 designated by subparagraph (B)) and inserting  
3 the following:

4 “(K) to receive and administer restitution  
5 and community service payments, amounts for  
6 mitigation of impacts to natural resources, and  
7 other amounts arising from legal, regulatory, or  
8 administrative proceedings, subject to the con-  
9 dition that the amounts are received or admin-  
10 istered for purposes that further the conserva-  
11 tion and management of fish, wildlife, plants,  
12 and other natural resources; and

13 “(L) to do acts necessary to carry out the  
14 purposes of the Foundation.”; and

15 (G) by striking the undesignated matter at  
16 the end and inserting the following:

17 “(2) TREATMENT OF REAL PROPERTY.—

18 “(A) IN GENERAL.—For purposes of this  
19 Act, an interest in real property shall be treated  
20 as including easements or other rights for pres-  
21 ervation, conservation, protection, or enhance-  
22 ment by and for the public of natural, scenic,  
23 historic, scientific, educational, inspirational, or  
24 recreational resources.

1           “(B) ENCUMBERED REAL PROPERTY.—A  
2           gift, devise, or bequest may be accepted by the  
3           Foundation even though the gift, devise, or be-  
4           quest is encumbered, restricted, or subject to  
5           beneficial interests of private persons if any  
6           current or future interest in the gift, devise, or  
7           bequest is for the benefit of the Foundation.

8           “(3) SAVINGS CLAUSE.—The acceptance and  
9           administration of amounts by the Foundation under  
10          paragraph (1)(K) does not alter, supersede, or limit  
11          any regulatory or statutory requirement associated  
12          with those amounts.”;

13          (2) by striking subsections (f) and (g); and

14          (3) by redesignating subsections (h) and (i) as  
15          subsections (f) and (g), respectively.

16          (c) AUTHORIZATION OF APPROPRIATIONS.—Section  
17          10 of the National Fish and Wildlife Foundation Estab-  
18          lishment Act (16 U.S.C. 3709) is amended—

19          (1) in subsection (a), by striking paragraph (1)  
20          and inserting the following:

21          “(1) IN GENERAL.—There are authorized to be  
22          appropriated to carry out this Act for each of fiscal  
23          years 2014 through 2019—

24                  “(A) \$15,000,000 to the Secretary of the  
25                  Interior;

1           “(B) \$5,000,000 to the Secretary of Agri-  
2 culture; and

3           “(C) \$5,000,000 to the Secretary of Com-  
4 merce.”;

5           (2) in subsection (b)—

6           (A) by striking paragraph (1) and insert-  
7 ing the following:

8           “(1) AMOUNTS FROM FEDERAL AGENCIES.—

9           “(A) IN GENERAL.—In addition to the  
10 amounts authorized to be appropriated under  
11 subsection (a), Federal departments, agencies,  
12 or instrumentalities may provide Federal funds  
13 to the Foundation, subject to the condition that  
14 the amounts are used for purposes that further  
15 the conservation and management of fish, wild-  
16 life, plants, and other natural resources in ac-  
17 cordance with this Act.

18           “(B) ADVANCES.—Federal departments,  
19 agencies, or instrumentalities may advance  
20 amounts described in subparagraph (A) to the  
21 Foundation in a lump sum without regard to  
22 when the expenses for which the amounts are  
23 used are incurred.

24           “(C) MANAGEMENT FEES.—The Founda-  
25 tion may assess and collect fees for the manage-

1           ment of amounts received under this para-  
2           graph.”;

3           (B) in paragraph (2)—

4                 (i) in the paragraph heading, by strik-  
5                 ing “FUNDS” and inserting “AMOUNTS”;

6                 (ii) by striking “shall be used” and in-  
7                 serting “may be used”; and

8                 (iii) by striking “and State and local  
9                 government agencies” and inserting “,  
10                 State and local government agencies, and  
11                 other entities”; and

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

13           “(3) ADMINISTRATION OF AMOUNTS.—

14                 “(A) IN GENERAL.—In entering into con-  
15                 tracts, agreements, or other partnerships pursu-  
16                 ant to this Act, a Federal department, agency,  
17                 or instrumentality shall have discretion to waive  
18                 any competitive process applicable to the de-  
19                 partment, agency, or instrumentality for enter-  
20                 ing into contracts, agreements, or partnerships  
21                 with the Foundation if the purpose of the waiv-  
22                 er is—

23                         “(i) to address an environmental  
24                         emergency resulting from a natural or  
25                         other disaster; or

1                   “(ii) as determined by the head of the  
2                   applicable Federal department, agency, or  
3                   instrumentality, to reduce administrative  
4                   expenses and expedite the conservation and  
5                   management of fish, wildlife, plants, and  
6                   other natural resources.

7                   “(B) REPORTS.—The Foundation shall in-  
8                   clude in the annual report submitted under sec-  
9                   tion 7(b) a description of any use of the author-  
10                  ity under subparagraph (A) by a Federal de-  
11                  partment, agency, or instrumentality in that fis-  
12                  cal year.”; and

13                  (3) by adding at the end the following:

14                  “(d) USE OF GIFTS, DEVICES, OR BEQUESTS OF  
15                  MONEY OR OTHER PROPERTY.—Any gifts, devises, or be-  
16                  quests of amounts or other property, or any other amounts  
17                  or other property, transferred to, deposited with, or other-  
18                  wise in the possession of the Foundation pursuant to this  
19                  Act, may be made available by the Foundation to Federal  
20                  departments, agencies, or instrumentalities and may be  
21                  accepted and expended (or the disposition of the amounts  
22                  or property directed), without further appropriation, by  
23                  those Federal departments, agencies, or instrumentalities,  
24                  subject to the condition that the amounts or property be  
25                  used for purposes that further the conservation and man-

1 agement of fish, wildlife, plants, and other natural re-  
2 sources.”.

3 (d) **LIMITATION ON AUTHORITY.**—Section 11 of the  
4 National Fish and Wildlife Foundation Establishment Act  
5 (16 U.S.C. 3710) is amended by inserting “exclusive” be-  
6 fore “authority”.

7 **SEC. 303. MULTINATIONAL SPECIES CONSERVATION FUNDS**

8 **SEMIPOSTAL STAMP ACT OF 2010.**

9 Section 2(c)(2) of the Multinational Species Con-  
10 servation Funds Semipostal Stamp Act of 2010 (39  
11 U.S.C. 416 note; Public Law 111–241) is amended by  
12 striking “2 years” and inserting “6 years”.

13 **SEC. 304. PARTNERS FOR FISH AND WILDLIFE ACT.**

14 Section 5 of the Partners for Fish and Wildlife Act  
15 (16 U.S.C. 3774) is amended by striking “2011” and in-  
16 serting “2018”.

