

# Calendar No. 304

113TH CONGRESS  
2D SESSION

# S. 1996

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

FEBRUARY 4, 2014

Mrs. HAGAN (for herself, Ms. MURKOWSKI, Mr. PRYOR, Mr. HELLER, Mr. TESTER, Mr. HOEVEN, Mr. BEGICH, Mr. PORTMAN, Ms. LANDRIEU, Mr. BOOZMAN, Mr. MANCHIN, and Mr. VITTER) introduced the following bill; which was read the first time

FEBRUARY 6, 2014

Read the second time and placed on the calendar

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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 “Bipartisan Sportsmen’s Act of 2014”.

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

Sec. 1. Short title; table of contents.

#### TITLE I—REGULATORY REFORMS

Sec. 101. Electronic duck stamps.

Sec. 102. Modification of definition of sport fishing equipment under the Toxic Substances Control Act.

Sec. 103. Target practice and marksmanship.

Sec. 104. Exemption for subsistence users.

Sec. 105. Permits for importation of polar bear trophies taken in sport hunts in Canada.

Sec. 106. Taking of migratory game birds.

Sec. 107. Recreational fishing, hunting, and recreational shooting on Federal public land.

Sec. 108. Annual permit and fee for film crews of 5 persons or fewer.

#### TITLE II—HABITAT CONSERVATION

Sec. 201. Availability of Land and Water Conservation Fund for recreational public access projects.

Sec. 202. Federal Land Transaction Facilitation Act.

Sec. 203. North American Wetlands Conservation Act.

Sec. 204. National Fish and Wildlife Foundation Establishment Act.

## 3 **TITLE I—REGULATORY** 4 **REFORMS**

### 5 **SEC. 101. ELECTRONIC DUCK STAMPS.**

6 (a) DEFINITIONS.—In this section:

7 (1) ACTUAL STAMP.—The term “actual stamp”  
 8 means a Federal migratory-bird hunting and con-  
 9 servation stamp required under the Act of March  
 10 16, 1934 (16 U.S.C. 718a et seq.) (popularly known  
 11 as the “Duck Stamp Act”), that is printed on paper  
 12 and sold through the means established by the au-  
 13 thority of the Secretary immediately before the date  
 14 of enactment of this Act.

15 (2) AUTOMATED LICENSING SYSTEM.—

1           (A) IN GENERAL.—The term “automated  
2           licensing system” means an electronic, comput-  
3           erized licensing system used by a State fish and  
4           wildlife agency to issue hunting, fishing, and  
5           other associated licenses and products.

6           (B) INCLUSION.—The term “automated li-  
7           censing system” includes a point-of-sale, Inter-  
8           net, telephonic system, or other electronic appli-  
9           cations used for a purpose described in sub-  
10          paragraph (A).

11          (3) ELECTRONIC STAMP.—The term “electronic  
12          stamp” means an electronic version of an actual  
13          stamp that—

14                (A) is a unique identifier for the individual  
15                to whom it is issued;

16                (B) can be printed on paper or produced  
17                through an electronic application with the same  
18                indicators as the State endorsement provides;

19                (C) is issued through a State automated li-  
20                censing system that is authorized, under State  
21                law and by the Secretary under this section, to  
22                issue electronic stamps;

23                (D) is compatible with the hunting licens-  
24                ing system of the State that issues the elec-  
25                tronic stamp; and

1           (E) is described in the State application  
2           approved by the Secretary under subsection  
3           (c)(3).

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

6           (b) AUTHORITY TO ISSUE ELECTRONIC DUCK  
7 STAMPS.—

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

11          (2) CONSULTATION.—The Secretary shall im-  
12          plement this section in consultation with State man-  
13          agement agencies.

14          (c) STATE APPLICATION.—

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

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

23          (3) CONTENTS OF APPLICATION.—The Sec-  
24          retary may not approve a State application unless  
25          the application contains—

1 (A) a description of the format of the elec-  
2 tronic stamp that the State will issue under this  
3 section, including identifying features of the li-  
4 censee that will be specified on the stamp;

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

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

12 (D) the manner by which the State will  
13 transmit electronic stamp customer data to the  
14 Secretary;

15 (E) the manner by which actual stamps  
16 will be delivered;

17 (F) the policies and procedures under  
18 which the State will issue duplicate electronic  
19 stamps; and

20 (G) such other policies, procedures, and in-  
21 formation as may be reasonably required by the  
22 Secretary.

23 (4) PUBLICATION OF DEADLINES, ELIGIBILITY  
24 REQUIREMENTS, AND SELECTION CRITERIA.—Not  
25 later than 30 days before the date on which the Sec-

1       retary begins accepting applications under this sec-  
2       tion, the Secretary shall publish—

3               (A) deadlines for submission of applica-  
4       tions;

5               (B) eligibility requirements for submitting  
6       applications; and

7               (C) criteria for approving applications.

8       (d) STATE OBLIGATIONS AND AUTHORITIES.—

9               (1) DELIVERY OF ACTUAL STAMP.—The Sec-  
10       retary shall require that each individual to whom a  
11       State sells an electronic stamp under this section  
12       shall receive an actual stamp—

13               (A) by not later than the date on which  
14       the electronic stamp expires under subsection  
15       (e)(3); and

16               (B) in a manner agreed upon by the State  
17       and Secretary.

18               (2) COLLECTION AND TRANSFER OF ELEC-  
19       TRONIC STAMP REVENUE AND CUSTOMER INFORMA-  
20       TION.—

21               (A) REQUIREMENT TO TRANSMIT.—The  
22       Secretary shall require each State authorized to  
23       issue electronic stamps to collect and submit to  
24       the Secretary in accordance with this sub-  
25       section—

1 (i) the first name, last name, and  
2 complete mailing address of each individual  
3 that purchases an electronic stamp from  
4 the State;

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

7 (iii) the amount of the Federal por-  
8 tion of any fee required by the agreement  
9 for each stamp sold.

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

16 (C) ADDITIONAL FEES NOT AFFECTED.—  
17 This section shall not apply to the State portion  
18 of any fee collected by a State under paragraph  
19 (3).

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

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

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

10          (e) ELECTRONIC STAMP REQUIREMENTS; RECOGNI-  
11 TION OF ELECTRONIC STAMP.—

12           (1) STAMP REQUIREMENTS.—The Secretary  
13 shall require an electronic stamp issued by a State  
14 under this section—

15                   (A) to have the same format as any other  
16 license, validation, or privilege the State issues  
17 under the automated licensing system of the  
18 State; and

19                   (B) to specify identifying features of the li-  
20 censee that are adequate to enable Federal,  
21 State, and other law enforcement officers to  
22 identify the holder.

23           (2) RECOGNITION OF ELECTRONIC STAMP.—  
24 Any electronic stamp issued by a State under this



1 section shall, during the effective period of the elec-  
2 tronic stamp—

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

5 (B) be recognized nationally as a valid  
6 Federal migratory bird hunting and conserva-  
7 tion stamp; and

8 (C) authorize the licensee to hunt migra-  
9 tory waterfowl in any other State, in accordance  
10 with the laws of the other State governing that  
11 hunting.

12 (3) DURATION.—An electronic stamp issued by  
13 a State shall be valid for a period agreed to by the  
14 State and the Secretary, which shall not exceed 45  
15 days.

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

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

20 (A) finds that the State has violated any of  
21 the terms of the application of the State ap-  
22 proved by the Secretary under subsection (c);  
23 and

1 (B) provides to the State written notice of  
2 the termination by not later than the date that  
3 is 30 days before the date of termination; or

4 (2) by the State, by providing written notice to  
5 the Secretary by not later than the date that is 30  
6 days before the termination date.

7 **SEC. 102. MODIFICATION OF DEFINITION OF SPORT FISH-**  
8 **ING EQUIPMENT UNDER THE TOXIC SUB-**  
9 **STANCES CONTROL ACT.**

10 Section 3(2)(B) of the Toxic Substances Control Act  
11 (15 U.S.C. 2602(2)(B)) is amended—

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

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

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

19 “(vii) any sport fishing equipment (as such  
20 term is defined in subparagraph (a) of section 4162  
21 of the Internal Revenue Code of 1986) the sale of  
22 which is subject to the tax imposed by section  
23 4161(a) of such Code (determined without regard to  
24 any exemptions from such tax as provided by section

1 4162 or 4221 or any other provision of such Code),  
2 and sport fishing equipment components.”.

3 **SEC. 103. TARGET PRACTICE AND MARKSMANSHIP.**

4 (a) FINDINGS; PURPOSE.—

5 (1) FINDINGS.—Congress finds that—

6 (A) the use of firearms and archery equip-  
7 ment for target practice and marksmanship  
8 training activities on Federal land is allowed,  
9 except to the extent specific portions of that  
10 land have been closed to those activities;

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

15 (C) the availability of public target ranges  
16 on non-Federal land has been declining for a  
17 variety of reasons, including continued popu-  
18 lation growth and development near former  
19 ranges;

20 (D) providing opportunities for target  
21 practice and marksmanship training at public  
22 target ranges on Federal and non-Federal land  
23 can help—

24 (i) to promote enjoyment of shooting,  
25 recreational, and hunting activities; and

1 (ii) to ensure safe and convenient lo-  
2 cations for those activities;

3 (E) Federal law in effect on the date of en-  
4 actment of this Act, including the Pittman-Rob-  
5 ertson Wildlife Restoration Act (16 U.S.C. 669  
6 et seq.), provides Federal support for construc-  
7 tion and expansion of public target ranges by  
8 making available to States amounts that may  
9 be used for construction, operation, and mainte-  
10 nance of public target ranges; and

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

14 (2) PURPOSE.—The purpose of this section is  
15 to facilitate the construction and expansion of public  
16 target ranges, including ranges on Federal land  
17 managed by the Forest Service and the Bureau of  
18 Land Management.

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

22 (1) is identified by a governmental agency for  
23 recreational shooting;

24 (2) is open to the public;

25 (3) may be supervised; and

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

3           (c) AMENDMENTS TO PITTMAN-ROBERTSON WILD-  
4           LIFE RESTORATION ACT.—

5           (1) DEFINITIONS.—Section 2 of the Pittman-  
6           Robertson Wildlife Restoration Act (16 U.S.C.  
7           669a) is amended—

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

11                   (B) by inserting after paragraph (1) the  
12                   following:

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

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

17                           “(B) is open to the public;

18                           “(C) may be supervised; and

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

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

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

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

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

7 (B) in paragraph (1) (as so designated), by  
8 striking “construction, operation,” and insert-  
9 ing “operation”;

10 (C) in the second sentence, by striking  
11 “The non-Federal share” and inserting the fol-  
12 lowing:

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

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

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

18 (E) by inserting after paragraph (1) (as  
19 designated by subparagraph (A)) the following:

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

24 (3) FIREARM AND BOW HUNTER EDUCATION  
25 AND SAFETY PROGRAM GRANTS.—Section 10 of the

1 Pittman-Robertson Wildlife Restoration Act (16  
2 U.S.C. 669h-1) is amended—

3 (A) in subsection (a), by adding at the end  
4 the following:

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

12 (B) by striking subsection (b) and insert-  
13 ing the following:

14 “(b) COST SHARING.—

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

20 “(2) PUBLIC TARGET RANGE CONSTRUCTION OR  
21 EXPANSION.—The Federal share of the cost of ac-  
22 quiring land for, expanding, or constructing a public  
23 target range in a State on Federal or non-Federal  
24 land pursuant to this section or section 8(b) shall

1 not exceed 90 percent of the cost of the activity.”;  
2 and

3 (C) in subsection (c)(1)—

4 (i) by striking “Amounts made” and  
5 inserting the following:

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

8 (ii) by adding at the end the fol-  
9 lowing:

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

17 (d) SENSE OF CONGRESS REGARDING COOPERA-  
18 TION.—It is the sense of Congress that, consistent with  
19 applicable laws (including regulations), the Chief of the  
20 Forest Service and the Director of the Bureau of Land  
21 Management should cooperate with State and local au-  
22 thorities and other entities to carry out waste removal and  
23 other activities on any Federal land used as a public target  
24 range to encourage continued use of that land for target  
25 practice or marksmanship training.



1 **SEC. 104. EXEMPTION FOR SUBSISTENCE USERS.**

2 Section 3(h)(2) of the Fish and Wildlife Improvement  
 3 Act of 1978 (16 U.S.C. 712(1)) is amended by adding  
 4 at the end the following: “A taking authorized under this  
 5 section shall be exempt from the prohibition on taking  
 6 under section 1 of the Migratory Bird Hunting and Con-  
 7 servation Stamp Act (16 U.S.C. 718a).”.

8 **SEC. 105. PERMITS FOR IMPORTATION OF POLAR BEAR**

9 **TROPHIES TAKEN IN SPORT HUNTS IN CAN-**  
 10 **ADA.**

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

14 “(D) POLAR BEAR PARTS.—

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

1           “(I) who submits, with the per-  
2           mit application, proof that the polar  
3           bear was legally harvested by the per-  
4           son before February 18, 1997; or

5           “(II) who submitted, with a per-  
6           mit application submitted before May  
7           15, 2008, proof that the polar bear  
8           was legally harvested from a polar  
9           bear population from which a sport-  
10          hunted trophy could be imported be-  
11          fore May 15, 2008, in accordance  
12          with section 18.30(i) of title 50, Code  
13          of Federal Regulations (or a successor  
14          regulation) by the person before May  
15          15, 2008.

16           “(ii) APPLICABILITY OF PROHIBITION  
17          ON THE IMPORTATION OF A DEPLETED  
18          SPECIES.—

19           “(I) PARTS LEGALLY HARVESTED  
20          BEFORE FEBRUARY 18, 1997.—

21           “(aa) IN GENERAL.—Sec-  
22          tions 101(a)(3)(B) and 102(b)(3)  
23          shall not apply to the importation  
24          of any polar bear part authorized

1 by a permit issued under clause  
2 (i)(I).

3 “(bb) APPLICABILITY.—  
4 Item (aa) shall not apply to polar  
5 bear parts imported before June  
6 12, 1997.

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

9 “(aa) IN GENERAL.—Sec-  
10 tions 101(a)(3)(B) and 102(b)(3)  
11 shall not apply to the importation  
12 of any polar bear part authorized  
13 by a permit issued under clause  
14 (i)(II).

15 “(bb) APPLICABILITY.—  
16 Item (aa) shall not apply to polar  
17 bear parts imported before the  
18 date of enactment of the Bipar-  
19 tisan Sportsmen’s Act of 2014.”.

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

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

24 “(c) EXEMPTIONS ON CERTAIN LAND.—

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

5                   “(A) is not a baited area; and

6                   “(B) contains—

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

9                           “(ii) standing, flooded, or manipulated  
10                           natural vegetation;

11                           “(iii) flooded harvested cropland; or

12                           “(iv) based on the determination of  
13                           the applicable State office of the Coopera-  
14                           tive Extension System of the Department  
15                           of Agriculture at the request of the Sec-  
16                           retary of the Interior—

17                                   “(I) an area on which seed or  
18                                   grain has been scattered solely as the  
19                                   result of a normal agricultural plant-  
20                                   ing, harvesting, post-harvest manipu-  
21                                   lation, or normal soil stabilization  
22                                   practice; or

23                                   “(II) land of an agricultural pro-  
24                                   ducer on which a crop during the cur-  
25                                   rent or immediately preceding crop

1 year was not harvestable due to a nat-  
2 ural disaster (including any hurricane,  
3 storm, tornado, flood, high water,  
4 wind-driven water, tidal wave, tsu-  
5 nami, earthquake, volcanic eruption,  
6 landslide, mudslide, drought, fire,  
7 snowstorm, or other catastrophe that  
8 is declared a major disaster by the  
9 President in accordance with section  
10 401 of the Robert T. Stafford Dis-  
11 aster Relief and Emergency Assist-  
12 ance Act (42 U.S.C. 5170)).

13 “(2) DETERMINATIONS.—

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

24 “(B) NATURAL DISASTER.—For purposes  
25 of making a determination under paragraph

1 (1)(B)(iv)(II), each State office of the Coopera-  
 2 tive Extension Service of the Department of  
 3 Agriculture shall determine that—

4 “(i) the crop has been destroyed; and

5 “(ii) it would not have been economi-  
 6 cally practicable to harvest the crop.

7 “(C) REVISIONS.—A State office may re-  
 8 vise a report described in subparagraph (A) as  
 9 the State office determines to be necessary to  
 10 reflect changing agricultural practices.”.

11 **SEC. 107. RECREATIONAL FISHING, HUNTING, AND REC-**  
 12 **REATIONAL SHOOTING ON FEDERAL PUBLIC**  
 13 **LAND.**

14 (a) DEFINITIONS.—In this section:

15 (1) FEDERAL PUBLIC LAND.—

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

18 (i) owned by the United States; and

19 (ii) managed by a Federal agency (in-  
 20 cluding the Department of the Interior and  
 21 the Forest Service) for purposes that in-  
 22 clude the conservation of natural resources.

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

1 (i) land or water held or managed in  
 2 trust for the benefit of Indian tribes or in-  
 3 dividual Indians;

4 (ii) land or water managed by the Di-  
 5 rector of the National Park Service or the  
 6 Director of the United States Fish and  
 7 Wildlife Service;

8 (iii) fish hatcheries; or

9 (iv) conservation easements on private  
 10 land.

11 (2) HUNTING.—

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

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

17 (ii) attempt to pursue, shoot, capture,  
 18 collect, trap, or kill wildlife.

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

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

1 (A) an activity for sport or pleasure that  
2 involves the lawful—

3 (i) catching, taking, or harvesting of  
4 fish; or

5 (ii) attempted catching, taking, or  
6 harvesting of fish; or

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

10 (4) RECREATIONAL SHOOTING.—The term  
11 “recreational shooting” means any form of sport,  
12 training, competition, or pastime, whether formal or  
13 informal, that involves—

14 (A) the discharge of a rifle, handgun, or  
15 shotgun; or

16 (B) the use of a bow and arrow.

17 (b) RECREATIONAL FISHING, HUNTING, AND REC-  
18 REATIONAL SHOOTING.—

19 (1) IN GENERAL.—Subject to valid existing  
20 rights, and in cooperation with the respective State  
21 fish and wildlife agency, a Federal public land man-  
22 agement official shall exercise the authority of the  
23 official under existing law (including provisions re-  
24 garding land use planning) to facilitate use of and  
25 access to Federal public land for recreational fish-



1 ing, hunting, and recreational shooting except as  
2 limited by—

3 (A) any Federal law (including regula-  
4 tions) that authorizes action or withholding ac-  
5 tion for reasons of national security, public  
6 safety, or resource conservation;

7 (B) any other Federal law (including regu-  
8 lations) that precludes recreational fishing,  
9 hunting, or recreational shooting on specific  
10 Federal public land units of Federal public  
11 land, or water; and

12 (C) discretionary limitations on rec-  
13 reational fishing, hunting, and recreational  
14 shooting determined to be necessary and rea-  
15 sonable, as supported by the best scientific evi-  
16 dence and advanced through a transparent pub-  
17 lic process.

18 (2) MANAGEMENT.—Consistent with paragraph  
19 (1), the head of each Federal public land manage-  
20 ment agency shall exercise the land management dis-  
21 cretion of the head—

22 (A) in a manner that supports and facili-  
23 tates recreational fishing, hunting, and rec-  
24 reational shooting opportunities;

1 (B) to the extent authorized under applica-  
2 ble State law; and

3 (C) in accordance with applicable Federal  
4 law.

5 (3) PLANNING.—

6 (A) EFFECTS OF PLANS AND ACTIVI-  
7 TIES.—

8 (i) EVALUATION OF EFFECTS ON OP-  
9 PORTUNITIES TO ENGAGE IN REC-  
10 REATIONAL FISHING, HUNTING, OR REC-  
11 REATIONAL SHOOTING.—Federal public  
12 land planning documents (including land  
13 resources management plans, resource  
14 management plans, travel management  
15 plans, and energy development plans) shall  
16 include a specific evaluation of the effects  
17 of the plans on opportunities to engage in  
18 recreational fishing, hunting, or rec-  
19 reational shooting.

20 (ii) OTHER ACTIVITY NOT CONSID-  
21 ERED.—

22 (I) IN GENERAL.—Federal public  
23 land management officials shall not be  
24 required to consider the existence or  
25 availability of recreational fishing,

1 hunting, or recreational shooting op-  
2 portunities on private or public land  
3 that is located adjacent to, or in the  
4 vicinity of, Federal public land for  
5 purposes of—

6 (aa) planning for or deter-  
7 mining which units of Federal  
8 public land are open for rec-  
9 reational fishing, hunting, or rec-  
10 reational shooting; or

11 (bb) setting the levels of use  
12 for recreational fishing, hunting,  
13 or recreational shooting on Fed-  
14 eral public land.

15 (II) ENHANCED OPPORTUNI-  
16 TIES.—Federal public land manage-  
17 ment officials may consider the oppor-  
18 tunities described in subclause (I) if  
19 the combination of those opportunities  
20 would enhance the recreational fish-  
21 ing, hunting, or shooting opportunities  
22 available to the public.

23 (B) USE OF VOLUNTEERS.—If hunting is  
24 prohibited by law, all Federal public land plan-  
25 ning documents described in subparagraph

1 (A)(i) of an agency shall, after appropriate co-  
2 ordination with State fish and wildlife agencies,  
3 allow the participation of skilled volunteers in  
4 the culling and other management of wildlife  
5 populations on Federal public land unless the  
6 head of the agency demonstrates, based on the  
7 best scientific data available or applicable Fed-  
8 eral law, why skilled volunteers should not be  
9 used to control overpopulation of wildlife on the  
10 land that is the subject of the planning docu-  
11 ment.

12 (4) BUREAU OF LAND MANAGEMENT AND FOR-  
13 EST SERVICE LAND.—

14 (A) LAND OPEN.—

15 (i) IN GENERAL.—Land under the ju-  
16 risdiction of the Bureau of Land Manage-  
17 ment or the Forest Service (including a  
18 component of the National Wilderness  
19 Preservation System, land designated as a  
20 wilderness study area or administratively  
21 classified as wilderness eligible or suitable,  
22 and primitive or semiprimitive areas, but  
23 excluding land on the outer Continental  
24 Shelf) shall be open to recreational fishing,  
25 hunting, and recreational shooting unless

1 the managing Federal public land agency  
2 acts to close the land to the activity.

3 (ii) **MOTORIZED ACCESS.**—Nothing in  
4 this subparagraph authorizes or requires  
5 motorized access or the use of motorized  
6 vehicles for recreational fishing, hunting,  
7 or recreational shooting purposes within  
8 land designated as a wilderness study area  
9 or administratively classified as wilderness  
10 eligible or suitable.

11 (B) **CLOSURE OR RESTRICTION.**—Land de-  
12 scribed in subparagraph (A)(i) may be subject  
13 to closures or restrictions if determined by the  
14 head of the agency to be necessary and reason-  
15 able and supported by facts and evidence for  
16 purposes including resource conservation, public  
17 safety, energy or mineral production, energy  
18 generation or transmission infrastructure, water  
19 supply facilities, protection of other permittees,  
20 protection of private property rights or inter-  
21 ests, national security, or compliance with other  
22 law, as determined appropriate by the Director  
23 of the Bureau of Land Management or the  
24 Chief of the Forest Service, as applicable.

25 (C) **SHOOTING RANGES.**—

1 (i) IN GENERAL.—Except as provided  
2 in clause (iii), the head of each Federal  
3 public land agency may use the authorities  
4 of the head, in a manner consistent with  
5 this section and other applicable law—

6 (I) to lease or permit use of land  
7 under the jurisdiction of the head for  
8 shooting ranges; and

9 (II) to designate specific land  
10 under the jurisdiction of the head for  
11 recreational shooting activities.

12 (ii) LIMITATION ON LIABILITY.—Any  
13 designation under clause (i)(II) shall not  
14 subject the United States to any civil ac-  
15 tion or claim for monetary damages for in-  
16 jury or loss of property or personal injury  
17 or death caused by any recreational shoot-  
18 ing activity occurring at or on the des-  
19 ignated land.

20 (iii) EXCEPTION.—The head of each  
21 Federal public land agency shall not lease  
22 or permit use of Federal public land for  
23 shooting ranges or designate land for rec-  
24 reational shooting activities within includ-  
25 ing a component of the National Wilder-

1           ness Preservation System, land designated  
2           as a wilderness study area or administra-  
3           tively classified as wilderness eligible or  
4           suitable, and primitive or semiprimitive  
5           areas.

6           (5) REPORT.—Not later than October 1 of  
7           every other year, beginning with the second October  
8           1 after the date of enactment of this Act, the head  
9           of each Federal public land agency who has author-  
10          ity to manage Federal public land on which rec-  
11          reational fishing, hunting, or recreational shooting  
12          occurs shall submit to the Committee on Natural  
13          Resources of the House of Representatives and the  
14          Committee on Energy and Natural Resources of the  
15          Senate a report that describes—

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

20                (B) the reason for the closure.

21           (6) CLOSURES OR SIGNIFICANT RESTRICTIONS  
22          OF 1,280 OR MORE ACRES.—

23                (A) IN GENERAL.—Other than closures es-  
24                tablished or prescribed by land planning actions  
25                referred to in paragraph (4)(B) or emergency

1 closures described in subparagraph (C), a per-  
2 manent or temporary withdrawal, change of  
3 classification, or change of management status  
4 of Federal public land or water that effectively  
5 closes or significantly restricts 1,280 or more  
6 contiguous acres of Federal public land or  
7 water to access or use for recreational fishing  
8 or hunting or activities relating to fishing or  
9 hunting shall take effect only if, before the date  
10 of withdrawal or change, the head of the Fed-  
11 eral public land agency that has jurisdiction  
12 over the Federal public land or water—

13 (i) publishes appropriate notice of the  
14 withdrawal or change, respectively;

15 (ii) demonstrates that coordination  
16 has occurred with a State fish and wildlife  
17 agency; and

18 (iii) submits to the Committee on  
19 Natural Resources of the House of Rep-  
20 resentatives and the Committee on Energy  
21 and Natural Resources of the Senate writ-  
22 ten notice of the withdrawal or change, re-  
23 spectively.

24 (B) AGGREGATE OR CUMULATIVE EF-  
25 FECTS.—If the aggregate or cumulative effect



1 of separate withdrawals or changes effectively  
2 closes or significantly restricts or affects 1,280  
3 or more acres of land or water, the withdrawals  
4 and changes shall be treated as a single with-  
5 drawal or change for purposes of subparagraph  
6 (A).

7 (C) EMERGENCY CLOSURES.—

8 (i) IN GENERAL.—Nothing in this sec-  
9 tion prohibits a Federal public land man-  
10 agement agency from establishing or im-  
11 plementing emergency closures or restric-  
12 tions of the smallest practicable area of  
13 Federal public land to provide for public  
14 safety, resource conservation, national se-  
15 curity, or other purposes authorized by  
16 law.

17 (ii) TERMINATION.—An emergency  
18 closure under clause (i) shall terminate  
19 after a reasonable period of time unless the  
20 temporary closure is converted to a perma-  
21 nent closure consistent with this section.

22 (7) NO PRIORITY.—Nothing in this section re-  
23 quires a Federal agency to give preference to rec-  
24 reational fishing, hunting, or recreational shooting  
25 over other uses of Federal public land or over land

1 or water management priorities established by other  
2 Federal law.

3 (8) CONSULTATION WITH COUNCILS.—In car-  
4 rying out this section, the heads of Federal public  
5 land agencies shall consult with the appropriate ad-  
6 visory councils established under Executive Order  
7 12962 (16 U.S.C. 1801 note; relating to recreational  
8 fisheries) and Executive Order 13443 (16 U.S.C.  
9 661 note; relating to facilitation of hunting heritage  
10 and wildlife conservation).

11 (9) AUTHORITY OF STATES.—

12 (A) IN GENERAL.—Nothing in this section  
13 interferes with, diminishes, or conflicts with the  
14 authority, jurisdiction, or responsibility of any  
15 State to manage, control, or regulate fish and  
16 wildlife under State law (including regulations)  
17 on land or water within the State, including on  
18 Federal public land.

19 (B) FEDERAL LICENSES.—

20 (i) IN GENERAL.—Except as provided  
21 in clause (ii), nothing in this subsection  
22 authorizes the head of a Federal public  
23 land agency head to require a license, fee,  
24 or permit to fish, hunt, or trap on land or

1 water in a State, including on Federal pub-  
 2 lic land in the State.

3 (ii) MIGRATORY BIRD STAMPS.—Noth-  
 4 ing in this subparagraph affects any mi-  
 5 gratory bird stamp requirement of the Act  
 6 of March 16, 1934 (16 U.S.C. 718a et  
 7 seq.)(popularly known as the “Duck Stamp  
 8 Act”).

9 **SEC. 108. ANNUAL PERMIT AND FEE FOR FILM CREWS OF**  
 10 **5 PERSONS OR FEWER.**

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

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

17 (1) by redesignating paragraphs (1), (2), and  
 18 (3) as subparagraphs (A), (B), and (C), respectively,  
 19 and indenting appropriately;

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

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

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

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

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

5           “(3) OTHER CONSIDERATIONS.—The Secretary  
6 may”; and

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

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

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

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

21           “(C) COMMERCIAL FILMING ACTIVITIES.—  
22 A permit issued under subparagraph (B) shall  
23 be valid for commercial filming activities or  
24 similar projects that occur in areas designated  
25 for public use during public hours on all Fed-

1           eral land and waterways administered by the  
2           Secretary for a 1-year period beginning on the  
3           date of issuance of the permit.

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

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

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

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

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

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

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

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

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

15                   (1) by striking “collect any costs” and inserting  
16                   “recover any costs”; and

17                   (2) by striking “similar project” and inserting  
18                   “similar projects”.

1                   **TITLE II—HABITAT**  
2                   **CONSERVATION**

3 **SEC. 201. AVAILABILITY OF LAND AND WATER CONSERVA-**  
4                   **TION FUND FOR RECREATIONAL PUBLIC AC-**  
5                   **CESS PROJECTS.**

6           (a) AVAILABILITY OF FUNDS.—Section 3 of the Land  
7 and Water Conservation Fund Act of 1965 (16 U.S.C.  
8 4601–6) is amended to read as follows:

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

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

17           “(b) PRIORITY LIST.—The Secretary of the Interior  
18 and the Secretary of Agriculture, in consultation with the  
19 head of each affected Federal agency, shall annually de-  
20 velop a priority list for the sites under the jurisdiction of  
21 the applicable Secretary.

22           “(c) CRITERIA.—Projects identified on the priority  
23 list developed under subsection (b) shall secure rec-  
24 reational public access to Federal public land in existence  
25 as of the date of enactment of this section that has signifi-

1 cantly restricted access for hunting, fishing, and other rec-  
2 reational purposes through rights-of-way or acquisition of  
3 land (or any interest in land) from willing sellers.”.

4 (b) CONFORMING AMENDMENTS.—The Land and  
5 Water Conservation Fund Act of 1965 (16 U.S.C. 460l–  
6 4 et seq.) is amended—

7 (1) in the proviso at the end of section 2(e)(2)  
8 (16 U.S.C. 460l–5(e)(2)), by striking “notwith-  
9 standing the provisions of section 3 of this Act”;

10 (2) in the first sentence of section 9 (16 U.S.C.  
11 460l–10a), by striking “by section 3 of this Act”;  
12 and

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

16 **SEC. 202. FEDERAL LAND TRANSACTION FACILITATION**  
17 **ACT.**

18 (a) IN GENERAL.—The Federal Land Transaction  
19 Facilitation Act is amended—

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

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



1 (A) in subsection (a), by striking “(as in  
2 effect on the date of enactment of this Act)”;  
3 and

4 (B) by striking subsection (d);

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

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

8 (A) in paragraph (1)—

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

11 (ii) by striking “; or” and inserting a  
12 semicolon;

13 (B) in paragraph (2)—

14 (i) by inserting “Public Law 105–  
15 263;” before “112 Stat.”; and

16 (ii) by striking the period at the end  
17 and inserting a semicolon; and

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

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

22 “(4) the Lincoln County Conservation, Recre-  
23 ation, and Development Act of 2004 (Public Law  
24 108–424; 118 Stat. 2403);

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

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

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

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

13 (b) DEFICIT REDUCTION.—Of the amounts deposited  
14 in the Federal Land Disposal Account, there shall be  
15 transferred to the Treasury and used for Federal budget  
16 deficit reduction, \$1,000,000 for each of fiscal years 2014  
17 through 2023.

18 **SEC. 203. NORTH AMERICAN WETLANDS CONSERVATION**

19 **ACT.**

20 Section 7(c) of the North American Wetlands Con-  
21 servation Act (16 U.S.C. 4406(c)) is amended—

22 (1) in paragraph (4), by striking “and”;

23 (2) in paragraph (5), by striking the period at  
24 the end and inserting “; and”; and

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

1           “(6) \$50,000,000 for each of fiscal years 2014  
2 through 2019.”.

3 **SEC. 204. NATIONAL FISH AND WILDLIFE FOUNDATION ES-**  
4 **TABLISHMENT ACT.**

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

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

9                   (A) in subsection (b)—

10                           (i) by striking paragraph (2) and in-  
11 sserting the following:

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

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

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

23                           (ii) by striking paragraph (3) and in-  
24 sserting the following:

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

4                   (B) in subsection (g)(2)—

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

10                           “(A) IN GENERAL.—Officers”; and

11                           (ii) by striking subparagraph (B) and  
12                           inserting the following:

13                           “(B) EXECUTIVE DIRECTOR.—The Foun-  
14                           dation shall have an Executive Director who  
15                           shall be—

16                                   “(i) appointed by, and serve at the di-  
17                                   rection of, the Board as the chief executive  
18                                   officer of the Foundation; and

19                                   “(ii) knowledgeable and experienced in  
20                                   matters relating to fish and wildlife con-  
21                                   servation.”.

22           (2) CONFORMING AMENDMENT.—Section  
23           4(a)(1)(B) of the North American Wetlands Con-  
24           servation Act (16 U.S.C. 4403(a)(1)(B)) is amended

1 by striking “Secretary of the Board” and inserting  
2 “Executive Director of the Board”.

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

6 (1) in subsection (c)—

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

10 “(c) POWERS.—

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

13 (B) by redesignating paragraphs (1)  
14 through (11) as subparagraphs (A) through  
15 (K), respectively, and indenting appropriately;

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

23 (D) in subparagraph (E) (as redesignated  
24 by subparagraph (B)), by striking “paragraph

1 (3) or (4)” and inserting “subparagraph (C) or  
2 (D)”;

3 (E) in subparagraph (J) (as redesignated  
4 by subparagraph (B)), by striking “; and” and  
5 inserting a semicolon;

6 (F) by striking subparagraph (K) (as re-  
7 designated by subparagraph (B)) and inserting  
8 the following:

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

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

20 (G) by striking the undesignated matter at  
21 the end and inserting the following:

22 “(2) TREATMENT OF REAL PROPERTY.—

23 “(A) IN GENERAL.—For purposes of this  
24 Act, an interest in real property shall be treated  
25 as including easements or other rights for pres-

1           ervation, conservation, protection, or enhance-  
 2           ment by and for the public of natural, scenic,  
 3           historic, scientific, educational, inspirational, or  
 4           recreational resources.

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

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

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

18          (3) by redesignating subsections (h) and (i) as  
 19          subsections (f) and (g), respectively.

20          (c) AUTHORIZATION OF APPROPRIATIONS.—Section  
 21          10 of the National Fish and Wildlife Foundation Estab-  
 22          lishment Act (16 U.S.C. 3709) is amended—

23          (1) in subsection (a), by striking paragraph (1)  
 24          and inserting the following:

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

4           “(A) \$15,000,000 to the Secretary of the  
5 Interior;

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

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

10          (2) in subsection (b)—

11           (A) by striking paragraph (1) and insert-  
12 ing the following:

13          “(1) AMOUNTS FROM FEDERAL AGENCIES.—

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

23           “(B) ADVANCES.—Federal departments,  
24 agencies, or instrumentalities may advance  
25 amounts described in subparagraph (A) to the



1 Foundation in a lump sum without regard to  
2 when the expenses for which the amounts are  
3 used are incurred.

4 “(C) MANAGEMENT FEES.—The Founda-  
5 tion may assess and collect fees for the manage-  
6 ment of amounts received under this para-  
7 graph.”;

8 (B) in paragraph (2)—

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

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

13 (iii) by striking “and State and local  
14 government agencies” and inserting “,  
15 State and local government agencies, and  
16 other entities”; and

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

18 “(3) ADMINISTRATION OF AMOUNTS.—

19 “(A) IN GENERAL.—In entering into con-  
20 tracts, agreements, or other partnerships pursu-  
21 ant to this Act, a Federal department, agency,  
22 or instrumentality shall have discretion to waive  
23 any competitive process applicable to the de-  
24 partment, agency, or instrumentality for enter-  
25 ing into contracts, agreements, or partnerships

1 with the Foundation if the purpose of the waiv-  
2 er is—

3 “(i) to address an environmental  
4 emergency resulting from a natural or  
5 other disaster; or

6 “(ii) as determined by the head of the  
7 applicable Federal department, agency, or  
8 instrumentality, to reduce administrative  
9 expenses and expedite the conservation and  
10 management of fish, wildlife, plants, and  
11 other natural resources.

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

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

19 “(d) USE OF GIFTS, DEVISES, OR BEQUESTS OF  
20 MONEY OR OTHER PROPERTY.—Any gifts, devises, or be-  
21 quests of amounts or other property, or any other amounts  
22 or other property, transferred to, deposited with, or other-  
23 wise in the possession of the Foundation pursuant to this  
24 Act, may be made available by the Foundation to Federal  
25 departments, agencies, or instrumentalities and may be

1 accepted and expended (or the disposition of the amounts  
2 or property directed), without further appropriation, by  
3 those Federal departments, agencies, or instrumentalities,  
4 subject to the condition that the amounts or property be  
5 used for purposes that further the conservation and man-  
6 agement of fish, wildlife, plants, and other natural re-  
7 sources.”.

8 (d) LIMITATION ON AUTHORITY.—Section 11 of the  
9 National Fish and Wildlife Foundation Establishment Act  
10 (16 U.S.C. 3710) is amended by inserting “exclusive” be-  
11 fore “authority”.

Calendar No. 304

113<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**S. 1996**

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**A BILL**

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

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FEBRUARY 6, 2014

Read the second time and placed on the calendar