

114TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

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

Ms. MURKOWSKI (for herself, Mr. HEINRICH, Mr. RISCH, Ms. HEITKAMP, Mrs. FISCHER, and Mr. MANCHIN) introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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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 2015”.

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

Sec. 1. Short title; table of contents.

TITLE I—REGULATORY REFORMS

Sec. 101. Modification of definition of sport fishing equipment under the Toxic Substances Control Act.

- Sec. 102. Target practice and marksmanship.  
 Sec. 103. Permits for importation of polar bear trophies taken in sport hunts in Canada.  
 Sec. 104. Baiting of migratory game birds.  
 Sec. 105. Recreational fishing, hunting, and recreational shooting on Federal public land.  
 Sec. 106. Annual permit and fee for film crews of 5 persons or fewer.  
 Sec. 107. Protecting the right of individuals to bear arms at water resources development projects.  
 Sec. 108. Federal action transparency.  
 Sec. 109. Bows in the Parks.

#### TITLE II—HABITAT CONSERVATION

- Sec. 201. Availability of Land and Water Conservation Fund for recreational public access projects.  
 Sec. 202. Identifying opportunities for recreation, hunting, and fishing on Federal land.  
 Sec. 203. Federal Land Transaction Facilitation Act.  
 Sec. 204. North American Wetlands Conservation Act.  
 Sec. 205. National Fish and Wildlife Foundation Establishment Act.

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

### 3 **SEC. 101. MODIFICATION OF DEFINITION OF SPORT FISH-** 4                   **ING EQUIPMENT UNDER THE TOXIC SUB-** 5                   **STANCES CONTROL ACT.**

6                   (a) IN GENERAL.—Section 3(2)(B) of the Toxic Sub-  
 7 stances Control Act (15 U.S.C. 2602(2)(B)) is amended—

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

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

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

15                  “(vii) any sport fishing equipment (as the term  
 16                  is defined in subsection (a) of section 4162 of the

1 Internal Revenue Code of 1986, without regard to  
2 paragraphs (6) through (9) thereof), the sale of  
3 which is subject to the tax imposed by section  
4 4161(a) of such Code (determined without regard to  
5 any exemptions from such tax as provided by section  
6 4162 or 4221 or any other provision of such Code),  
7 and sport fishing equipment components.”.

8 (b) RELATIONSHIP TO OTHER LAW.—Nothing in the  
9 amendments made by this section affects or limits the ap-  
10 plication of, or the obligation to comply with, any other  
11 Federal, State, or local law.

12 **SEC. 102. TARGET PRACTICE AND MARKSMANSHIP.**

13 (a) PURPOSE.—The purpose of this section is to fa-  
14 cilitate the construction and expansion of public target  
15 ranges, including ranges on Federal land managed by the  
16 Forest Service and the Bureau of Land Management.

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

20 (1) is identified by a governmental agency for  
21 recreational shooting;

22 (2) is open to the public;

23 (3) may be supervised; and

24 (4) may accommodate archery or rifle, pistol, or  
25 shotgun shooting.

1 (c) AMENDMENTS TO PITTMAN-ROBERTSON WILD-  
2 LIFE RESTORATION ACT.—

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

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

9 (B) by inserting after paragraph (1) the  
10 following:

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

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

15 “(B) is open to the public;

16 “(C) may be supervised; and

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

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

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

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

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

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

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

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

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

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

16              (E) by inserting after paragraph (1) (as  
17 designated by subparagraph (A)) the following:

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

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

1 (A) in subsection (a), by adding at the end  
2 the following:

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

10 (B) by striking subsection (b) and insert-  
11 ing the following:

12 “(b) COST SHARING.—

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

18 “(2) PUBLIC TARGET RANGE CONSTRUCTION OR  
19 EXPANSION.—The Federal share of the cost of ac-  
20 quiring land for, expanding, or constructing a public  
21 target range in a State on Federal or non-Federal  
22 land pursuant to this section or section 8(b) shall  
23 not exceed 90 percent of the cost of the activity.”;  
24 and

25 (C) in subsection (c)(1)—

1 (i) by striking “Amounts made” and  
2 inserting the following:

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

5 (ii) by adding at the end the fol-  
6 lowing:

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

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

1 **SEC. 103. 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 could lure or attract migratory game  
2 birds; and

3 “(II) in the case of waterfowl,  
4 cranes (family Gruidae), and coots  
5 (family Rallidae), a standing,  
6 unharvested crop that has been ma-  
7 nipulated through activities such as  
8 mowing, discing, or rolling, unless the  
9 activities are normal agricultural prac-  
10 tices.

11 “(ii) EXCLUSIONS.—An area shall not  
12 be considered to be a ‘baited area’ if the  
13 area—

14 “(I) has been treated with a nor-  
15 mal agricultural practice;

16 “(II) has standing crops that  
17 have not been manipulated; or

18 “(III) has standing crops that  
19 have been or are flooded.

20 “(B) BAITING.—The term ‘baiting’ means  
21 the direct or indirect placing, exposing, depos-  
22 iting, distributing, or scattering of salt, grain,  
23 or other feed that could lure or attract migra-  
24 tory game birds to, on, or over any areas on

1           which a hunter is attempting to take migratory  
2           game birds.

3           “(C) MIGRATORY GAME BIRD.—The term  
4           ‘migratory game bird’ means migratory bird  
5           species—

6           “(i) that are within the taxonomic  
7           families of Anatidae, Columbidae, Gruidae,  
8           Rallidae, and Scolopacidae; and

9           “(ii) for which open seasons are pre-  
10          scribed by the Secretary of the Interior.

11          “(D) NORMAL AGRICULTURAL PRAC-  
12          TICE.—

13          “(i) IN GENERAL.—The term ‘normal  
14          agricultural practice’ means any practice in  
15          1 annual growing season that—

16          “(I) is carried out in order to  
17          produce a marketable crop, including  
18          planting, harvest, post-harvest, or soil  
19          conservation practices; and

20          “(II) is recommended for the  
21          successful harvest of a given crop by  
22          the applicable State office of the Co-  
23          operative Extension System of the De-  
24          partment of Agriculture, in consulta-  
25          tion with, and if requested, the con-

1 currence of, the head of the applicable  
2 State department of fish and wildlife.

3 “(ii) INCLUSIONS.—

4 “(I) IN GENERAL.—Subject to  
5 subclause (II), the term ‘normal agri-  
6 cultural practice’ includes the destruc-  
7 tion of a crop in accordance with  
8 practices required by the Federal  
9 Crop Insurance Corporation for agri-  
10 cultural producers to obtain crop in-  
11 surance under the Federal Crop In-  
12 surance Act (7 U.S.C. 1501 et seq.)  
13 on land on which a crop during the  
14 current or immediately preceding crop  
15 year was not harvestable due to a nat-  
16 ural disaster (including any hurricane,  
17 storm, tornado, flood, high water,  
18 wind-driven water, tidal wave, tsu-  
19 nami, earthquake, volcanic eruption,  
20 landslide, mudslide, drought, fire,  
21 snowstorm, or other catastrophe that  
22 is declared a major disaster by the  
23 President in accordance with section  
24 401 of the Robert T. Stafford Dis-

1                    aster Relief and Emergency Assist-  
2                    ance Act (42 U.S.C. 5170)).

3                    “(II) LIMITATIONS.—The term  
4                    ‘normal agricultural practice’ only in-  
5                    cludes a crop described in subclause  
6                    (I) that has been destroyed or manip-  
7                    ulated through activities that include  
8                    (but are not limited to) mowing,  
9                    discing, or rolling if the Federal Crop  
10                    Insurance Corporation certifies that  
11                    flooding was not an acceptable method  
12                    of destruction to obtain crop insur-  
13                    ance under the Federal Crop Insur-  
14                    ance Act (7 U.S.C. 1501 et seq.).

15                    “(E) WATERFOWL.—The term ‘waterfowl’  
16                    means native species of the family Anatidae.

17                    “(2) PROHIBITION.—It shall be unlawful for  
18                    any person—

19                    “(A) to take any migratory game bird by  
20                    baiting or on or over any baited area, if the  
21                    person knows or reasonably should know that  
22                    the area is a baited area; or

23                    “(B) to place or direct the placement of  
24                    bait on or adjacent to an area for the purpose  
25                    of causing, inducing, or allowing any person to

1 take or attempt to take any migratory game  
2 bird by baiting or on or over the baited area.

3 “(3) REGULATIONS.—The Secretary of the In-  
4 terior may promulgate regulations to implement this  
5 subsection.

6 “(4) REPORTS.—Annually, the Secretary of Ag-  
7 riculture shall submit to the Secretary of the Inte-  
8 rior a report that describes any changes to normal  
9 agricultural practices across the range of crops  
10 grown by agricultural producers in each region of  
11 the United States in which the recommendations are  
12 provided to agricultural producers.”.

13 **SEC. 105. RECREATIONAL FISHING, HUNTING, AND REC-**  
14 **REATIONAL SHOOTING ON FEDERAL PUBLIC**  
15 **LAND.**

16 (a) DEFINITIONS.—In this section:

17 (1) FEDERAL PUBLIC LAND.—

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

20 (i) owned by the United States; and

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

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

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

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

10 (iii) fish hatcheries; or

11 (iv) conservation easements on private  
12 land.

13 (2) HUNTING.—

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

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

19 (ii) attempt to pursue, shoot, capture,  
20 collect, trap, or kill wildlife.

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



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

3                   (A) an activity for sport or pleasure that  
4                   involves the lawful—

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

7                           (ii) attempted catching, taking, or  
8                           harvesting of fish; or

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

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

16                   (A) the discharge of a rifle, handgun, or  
17                   shotgun; or

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

19           (b) RECREATIONAL FISHING, HUNTING, AND REC-  
20           REATIONAL SHOOTING.—

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

1       garding land use planning) to facilitate use of and  
2       access to Federal public land for recreational fish-  
3       ing, hunting, and recreational shooting except as  
4       limited by—

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

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

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

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

1 (A) in a manner that supports and facili-  
2 tates recreational fishing, hunting, and rec-  
3 reational shooting opportunities;

4 (B) to the extent authorized under applica-  
5 ble State law; and

6 (C) in accordance with applicable Federal  
7 law.

8 (3) PLANNING.—

9 (A) EFFECTS OF PLANS AND ACTIVI-  
10 TIES.—

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

23 (ii) OTHER ACTIVITY NOT CONSID-  
24 ERED.—

1 (I) IN GENERAL.—Federal public  
2 land management officials shall not be  
3 required to consider the existence or  
4 availability of recreational fishing,  
5 hunting, or recreational shooting op-  
6 portunities on private or public land  
7 that is located adjacent to, or in the  
8 vicinity of, Federal public land for  
9 purposes of—

10 (aa) planning for or deter-  
11 mining which units of Federal  
12 public land are open for rec-  
13 reational fishing, hunting, or rec-  
14 reational shooting; or

15 (bb) setting the levels of use  
16 for recreational fishing, hunting,  
17 or recreational shooting on Fed-  
18 eral public land.

19 (II) ENHANCED OPPORTUNI-  
20 TIES.—Federal public land manage-  
21 ment officials may consider the oppor-  
22 tunities described in subclause (I) if  
23 the combination of those opportunities  
24 would enhance the recreational fish-

1                   ing, hunting, or shooting opportunities  
2                   available to the public.

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

17                   (4) BUREAU OF LAND MANAGEMENT AND FOR-  
18 EST SERVICE LAND.—

19                   (A) LAND OPEN.—

20                   (i) IN GENERAL.—Land under the ju-  
21 risdiction of the Bureau of Land Manage-  
22 ment or the Forest Service (including a  
23 component of the National Wilderness  
24 Preservation System, land designated as a  
25 wilderness study area or administratively

1           classified as wilderness eligible or suitable,  
2           and primitive or semiprimitive areas, but  
3           excluding land on the outer Continental  
4           Shelf) shall be open to recreational fishing,  
5           hunting, and recreational shooting unless  
6           the managing Federal public land agency  
7           acts to close the land to the activity.

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

16                   **(B) CLOSURE OR RESTRICTION.**—Land de-  
17          scribed in subparagraph (A)(i) may be subject  
18          to closures or restrictions if determined by the  
19          head of the agency to be necessary and reason-  
20          able and supported by facts and evidence for  
21          purposes including resource conservation, public  
22          safety, energy or mineral production, energy  
23          generation or transmission infrastructure, water  
24          supply facilities, protection of other permittees,  
25          protection of private property rights or inter-

1           ests, national security, or compliance with other  
2           law, as determined appropriate by the Director  
3           of the Bureau of Land Management or the  
4           Chief of the Forest Service, as applicable.

5           (C) SHOOTING RANGES.—

6           (i) IN GENERAL.—Except as provided  
7           in clause (iii), the head of each Federal  
8           public land agency may use the authorities  
9           of the head, in a manner consistent with  
10          this section and other applicable law—

11                   (I) to lease or permit use of land  
12                   under the jurisdiction of the head for  
13                   shooting ranges; and

14                   (II) to designate specific land  
15                   under the jurisdiction of the head for  
16                   recreational shooting activities.

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

1                   (iii) EXCEPTION.—The head of each  
2                   Federal public land agency shall not lease  
3                   or permit use of Federal public land for  
4                   shooting ranges or designate land for rec-  
5                   reational shooting activities within a com-  
6                   ponent of the National Wilderness Preser-  
7                   vation System, land designated as a wilder-  
8                   ness study area or administratively classi-  
9                   fied as wilderness eligible or suitable, and  
10                  primitive or semiprimitive areas.

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

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

25                         (B) the reason for the closure.





1                   and Natural Resources of the Senate writ-  
2                   ten notice of the withdrawal or change, re-  
3                   spectively.

4                   (B) AGGREGATE OR CUMULATIVE EF-  
5                   FECTS.—If the aggregate or cumulative effect  
6                   of separate withdrawals or changes effectively  
7                   closes or significantly restricts or affects 1,280  
8                   or more acres of land or water, the withdrawals  
9                   and changes shall be treated as a single with-  
10                  drawal or change for purposes of subparagraph  
11                  (A).

12                  (C) EMERGENCY CLOSURES.—

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

22                   (ii) TERMINATION.—An emergency  
23                   closure under clause (i) shall terminate  
24                   after a reasonable period of time unless the

1           temporary closure is converted to a perma-  
2           nent closure consistent with this section.

3           (7) NO PRIORITY.—Nothing in this section re-  
4           quires a Federal agency to give preference to rec-  
5           reational fishing, hunting, or recreational shooting  
6           over other uses of Federal public land or over land  
7           or water management priorities established by other  
8           Federal law.

9           (8) CONSULTATION WITH COUNCILS.—In car-  
10          rying out this section, the heads of Federal public  
11          land agencies shall consult with the appropriate ad-  
12          visory councils established under Executive Order  
13          12962 (16 U.S.C. 1801 note; relating to recreational  
14          fisheries) and Executive Order 13443 (16 U.S.C.  
15          661 note; relating to facilitation of hunting heritage  
16          and wildlife conservation).

17          (9) AUTHORITY OF STATES.—

18                 (A) IN GENERAL.—Nothing in this section  
19                 interferes with, diminishes, or conflicts with the  
20                 authority, jurisdiction, or responsibility of any  
21                 State to manage, control, or regulate fish and  
22                 wildlife under State law (including regulations)  
23                 on land or water within the State, including on  
24                 Federal public land.

25                 (B) FEDERAL LICENSES.—

1 (i) IN GENERAL.—Except as provided  
2 in clause (ii), nothing in this subsection  
3 authorizes the head of a Federal public  
4 land agency head to require a license, fee,  
5 or permit to fish, hunt, or trap on land or  
6 water in a State, including on Federal pub-  
7 lic land in the State.

8 (ii) MIGRATORY BIRD STAMPS.—Noth-  
9 ing in this subparagraph affects any mi-  
10 gratory bird stamp requirement of the Mi-  
11 gratory Bird Hunting and Conservation  
12 Stamp Act (16 U.S.C. 718a et seq.).

13 **SEC. 106. ANNUAL PERMIT AND FEE FOR FILM CREWS OF**  
14 **5 PERSONS OR FEWER.**

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

19 (b) NATIONAL PARK SYSTEM LAND.—Section  
20 100905 of title 54, United States Code, is amended—

21 (1) in subsection (a)—

22 (A) in paragraph (1), by striking “The  
23 Secretary” and inserting “Except as provided  
24 in paragraph (3), the Secretary”; and

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

1           “(3) SPECIAL RULES FOR FILM CREWS OF 5  
2 PERSONS OR FEWER.—

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

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

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

22           “(D) NO ADDITIONAL FEES.—For persons  
23 holding a permit issued under this paragraph,  
24 during the effective period of the permit, the

1 Secretary shall not assess any fees in addition  
2 to the fee assessed under subparagraph (B).

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

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

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

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

22 “(ii) there would be an unreasonable  
23 disruption of the use and enjoyment of the  
24 site by the public;

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

3                   “(iv) the filming includes the use of  
4                   models or props that are not part of the  
5                   natural or cultural resources or adminis-  
6                   trative facilities of the Federal land.”; and

7                   (2) in the first sentence of subsection (b), by  
8                   striking “collect any costs” and inserting “recover  
9                   any costs”.

10                  (c) OTHER FEDERAL LAND.—Section 1 of Public  
11 Law 106–206 (16 U.S.C. 460l–6d) is amended—

12                   (1) in subsection (a)—

13                   (A) in paragraph (1), by striking “The  
14                   Secretary” and inserting “Except as provided  
15                   in paragraph (3), the Secretary”; and

16                   (B) by adding at the end the following:

17                   “(3) SPECIAL RULES FOR FILM CREWS OF 5  
18                   PERSONS OR FEWER.—

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

24                   “(B) REQUIRED PERMIT AND FEE.—For  
25                   any film crew of 5 persons or fewer, the Sec-

1           retary shall require a permit and assess an an-  
2           nual fee of \$200 for commercial filming activi-  
3           ties or similar projects on Federal land and wa-  
4           terways administered by the Secretary.

5           “(C) COMMERCIAL FILMING ACTIVITIES.—  
6           A permit issued under subparagraph (B) shall  
7           be valid for commercial filming activities or  
8           similar projects that occur in areas designated  
9           for public use during public hours on all Fed-  
10          eral land and waterways administered by the  
11          Secretary for a 1-year period beginning on the  
12          date of issuance of the permit.

13          “(D) NO ADDITIONAL FEES.—For persons  
14          holding a permit issued under this paragraph,  
15          during the effective period of the permit, the  
16          Secretary shall not assess any fees in addition  
17          to the fee assessed under subparagraph (B).

18          “(E) USE OF CAMERAS.—The Secretary  
19          shall not prohibit, as a mechanized apparatus  
20          or under any other purposes, use of cameras or  
21          related equipment used for the purpose of com-  
22          mercial filming activities or similar projects in  
23          accordance with this paragraph on Federal land  
24          and waterways administered by the Secretary.



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

7           “(G) DENIAL OF ACCESS.—The head of  
8 the applicable land management agency may  
9 deny access to a film crew under this paragraph  
10 if—

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

13           “(ii) there would be an unreasonable  
14 disruption of the use and enjoyment of the  
15 site by the public;

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

18           “(iv) the filming includes the use of  
19 models or props that are not part of the  
20 natural or cultural resources or adminis-  
21 trative facilities of the Federal land.”; and

22 (2) in the first sentence of subsection (b)—

23           (A) by striking “collect any costs” and in-  
24 serting “recover any costs”; and

1 (B) by striking “similar project” and in-  
2 serting “similar projects”.

3 **SEC. 107. PROTECTING THE RIGHT OF INDIVIDUALS TO**  
4 **BEAR ARMS AT WATER RESOURCES DEVEL-**  
5 **OPMENT PROJECTS.**

6 The Secretary of the Army shall not promulgate or  
7 enforce any regulation that prohibits an individual from  
8 possessing a firearm, including an assembled or functional  
9 firearm, in any area open to the public (other than a Fed-  
10 eral facility as defined in section 930(g) of title 18, United  
11 States Code) at a water resources development project  
12 covered under section 327.0 of title 36, Code of Federal  
13 Regulations (as in effect on the date of enactment of this  
14 Act), if—

15 (1) the individual is not otherwise prohibited by  
16 law from possessing the firearm; and

17 (2) the possession of the firearm is in compli-  
18 ance with the law of the State in which the water  
19 resources development project is located.

20 **SEC. 108. FEDERAL ACTION TRANSPARENCY.**

21 (a) **MODIFICATION OF EQUAL ACCESS TO JUSTICE**  
22 **PROVISIONS.—**

23 (1) **AGENCY PROCEEDINGS.—**Section 504 of  
24 title 5, United States Code, is amended—

1                   (A) in subsection (c)(1), by striking “,  
2                   United States Code”;

3                   (B) by redesignating subsection (f) as sub-  
4                   section (i); and

5                   (C) by striking subsection (e) and inserting  
6                   the following:

7           “(e)(1) Not later than March 31 of the first fiscal  
8 year beginning after the date of enactment of the Bipar-  
9 tisan Sportsmen’s Act of 2015, and every fiscal year there-  
10 after, the Chairman of the Administrative Conference of  
11 the United States, after consultation with the Chief Coun-  
12 sel for Advocacy of the Small Business Administration,  
13 shall submit to Congress and make publicly available on-  
14 line a report on the amount of fees and other expenses  
15 awarded during the preceding fiscal year under this sec-  
16 tion.

17           “(2) Each report under paragraph (1) shall describe  
18 the number, nature, and amount of the awards, the claims  
19 involved in the controversy, and any other relevant infor-  
20 mation that may aid Congress in evaluating the scope and  
21 impact of such awards.

22           “(3)(A) Each report under paragraph (1) shall ac-  
23 count for all payments of fees and other expenses awarded  
24 under this section that are made pursuant to a settlement  
25 agreement, regardless of whether the settlement agree-

1 ment is sealed or otherwise subject to a nondisclosure pro-  
2 vision.

3 “(B) The disclosure of fees and other expenses re-  
4 quired under subparagraph (A) shall not affect any other  
5 information that is subject to a nondisclosure provision in  
6 a settlement agreement.

7 “(f) As soon as practicable, and in any event not later  
8 than the date on which the first report under subsection  
9 (e)(1) is required to be submitted, the Chairman of the  
10 Administrative Conference of the United States shall cre-  
11 ate and maintain online a searchable database containing,  
12 with respect to each award of fees and other expenses  
13 under this section made on or after the date of enactment  
14 of the Bipartisan Sportsmen’s Act of 2015, the following  
15 information:

16 “(1) The case name and number of the adver-  
17 sary adjudication, if available, hyperlinked to the  
18 case, if available.

19 “(2) The name of the agency involved in the  
20 adversary adjudication.

21 “(3) A description of the claims in the adver-  
22 sary adjudication.

23 “(4) The name of each party to whom the  
24 award was made.

25 “(5) The amount of the award.

1           “(6) The basis for the finding that the position  
2           of the agency concerned was not substantially justi-  
3           fied.

4           “(g) The online searchable database described in sub-  
5           section (f) may not reveal any information the disclosure  
6           of which is prohibited by law or a court order.

7           “(h) The head of each agency shall provide to the  
8           Chairman of the Administrative Conference of the United  
9           States in a timely manner all information requested by  
10          the Chairman to comply with the requirements of sub-  
11          sections (e), (f), and (g).”.

12           (2) COURT CASES.—Section 2412(d) of title 28,  
13          United States Code, is amended by adding at the  
14          end the following:

15          “(5)(A) Not later than March 31 of the first fiscal  
16          year beginning after the date of enactment of the Bipar-  
17          tisan Sportsmen’s Act of 2015, and every fiscal year there-  
18          after, the Chairman of the Administrative Conference of  
19          the United States shall submit to Congress and make pub-  
20          licly available online a report on the amount of fees and  
21          other expenses awarded during the preceding fiscal year  
22          pursuant to this subsection.

23          “(B) Each report under subparagraph (A) shall de-  
24          scribe the number, nature, and amount of the awards, the  
25          claims involved in the controversy, and any other relevant

1 information that may aid Congress in evaluating the scope  
2 and impact of such awards.

3 “(C)(i) Each report under subparagraph (A) shall ac-  
4 count for all payments of fees and other expenses awarded  
5 under this subsection that are made pursuant to a settle-  
6 ment agreement, regardless of whether the settlement  
7 agreement is sealed or otherwise subject to a nondisclosure  
8 provision.

9 “(ii) The disclosure of fees and other expenses re-  
10 quired under clause (i) shall not affect any other informa-  
11 tion that is subject to a nondisclosure provision in a settle-  
12 ment agreement.

13 “(D) The Chairman of the Administrative Conference  
14 of the United States shall include and clearly identify in  
15 each annual report under subparagraph (A), for each case  
16 in which an award of fees and other expenses is included  
17 in the report—

18 “(i) any amounts paid under section 1304 of  
19 title 31 for a judgment in the case;

20 “(ii) the amount of the award of fees and other  
21 expenses; and

22 “(iii) the statute under which the plaintiff filed  
23 suit.

24 “(6) As soon as practicable, and in any event not  
25 later than the date on which the first report under para-

1 graph (5)(A) is required to be submitted, the Chairman  
2 of the Administrative Conference of the United States  
3 shall create and maintain online a searchable database  
4 containing, with respect to each award of fees and other  
5 expenses under this subsection made on or after the date  
6 of enactment of the Bipartisan Sportsmen’s Act of 2015,  
7 the following information:

8           “(A) The case name and number, hyperlinked  
9           to the case, if available.

10           “(B) The name of the agency involved in the  
11           case.

12           “(C) The name of each party to whom the  
13           award was made.

14           “(D) A description of the claims in the case.

15           “(E) The amount of the award.

16           “(F) The basis for the finding that the position  
17           of the agency concerned was not substantially justi-  
18           fied.

19           “(7) The online searchable database described in  
20           paragraph (6) may not reveal any information the dis-  
21           closure of which is prohibited by law or a court order.

22           “(8) The head of each agency (including the Attorney  
23           General of the United States) shall provide to the Chair-  
24           man of the Administrative Conference of the United  
25           States in a timely manner all information requested by

1 the Chairman to comply with the requirements of para-  
2 graphs (5), (6), and (7).”.

3           (3) TECHNICAL AND CONFORMING AMEND-  
4           MENTS.—Section 2412 of title 28, United States  
5           Code, is amended—

6                   (A) in subsection (d)(3), by striking  
7                   “United States Code,”; and

8                   (B) in subsection (e)—

9                           (i) by striking “of section 2412 of  
10                           title 28, United States Code,” and insert-  
11                           ing “of this section”; and

12                           (ii) by striking “of such title” and in-  
13                           serting “of this title”.

14           (b) JUDGMENT FUND TRANSPARENCY.—Section  
15           1304 of title 31, United States Code, is amended by add-  
16           ing at the end the following:

17           “(d) Beginning not later than the date that is 60  
18           days after the date of enactment of the Bipartisan Sports-  
19           men’s Act of 2015, and unless the disclosure of such infor-  
20           mation is otherwise prohibited by law or a court order,  
21           the Secretary of the Treasury shall make available to the  
22           public on a website, as soon as practicable, but not later  
23           than 30 days after the date on which a payment under  
24           this section is tendered, the following information with re-  
25           gard to that payment:



1           “(1) The name of the specific agency or entity  
2 whose actions gave rise to the claim or judgment.

3           “(2) The name of the plaintiff or claimant.

4           “(3) The name of counsel for the plaintiff or  
5 claimant.

6           “(4) The amount paid representing principal li-  
7 ability, and any amounts paid representing any an-  
8 cillary liability, including attorney fees, costs, and  
9 interest.

10           “(5) A brief description of the facts that gave  
11 rise to the claim.

12           “(6) The name of the agency that submitted  
13 the claim.”.

14 **SEC. 109. BOWS IN THE PARKS.**

15 (a) DEFINITIONS.—In this section:

16           (1) DIRECTOR.—The term “Director” means  
17 the Director of the National Park Service.

18           (2) NOT READY FOR IMMEDIATE USE.—The  
19 term “not ready for immediate use” means—

20                   (A) a bow or crossbow, the arrows of which  
21 are secured or stowed in a quiver or other  
22 arrow transport case; and

23                   (B) with respect to a crossbow, uncocked.

24 (b) VEHICULAR TRANSPORTATION AUTHORIZED.—

25 The Director shall not promulgate or enforce any regula-

1 tion that prohibits an individual from transporting bows  
 2 and crossbows that are not ready for immediate use across  
 3 any unit of the National Park System in the vehicle of  
 4 the individual if—

5 (1) the individual is not otherwise prohibited by  
 6 law from possessing the bows and crossbows;

7 (2) the bows or crossbows that are not ready  
 8 for immediate use remain inside the vehicle of the  
 9 individual throughout the period during which the  
 10 bows or crossbows are transported across National  
 11 Park System land; and

12 (3) the possession of the bows and crossbows is  
 13 in compliance with the law of the State in which the  
 14 unit of the National Park System is located.

## 15 **TITLE II—HABITAT**

## 16 **CONSERVATION**

### 17 **SEC. 201. AVAILABILITY OF LAND AND WATER CONSERVA-**

### 18 **TION FUND FOR RECREATIONAL PUBLIC AC-**

### 19 **CESS PROJECTS.**

20 (a) AVAILABILITY OF FUNDS.—Section 200303 of  
 21 title 54, United States Code, is amended to read as fol-  
 22 lows:

#### 23 **“§ 200303. Availability of funds for certain projects**

24 “Notwithstanding any other provision of this Act, the  
 25 Secretary and the Secretary of Agriculture shall ensure

1 that, of the amounts appropriated for the fund for each  
2 fiscal year, not less than the greater of 1.5 percent of the  
3 amounts or \$10,000,000 shall be made available for  
4 projects that secure public access to Federal land for hunt-  
5 ing, fishing, and other recreational purposes through ease-  
6 ments, rights-of-way, or fee title acquisitions from willing  
7 sellers.”.

8 (b) CONFORMING AMENDMENTS.—

9 (1) AVAILABILITY OF DEPOSITS.—Section  
10 200302(c)(3) of title 54, United States Code, is  
11 amended by striking “Notwithstanding section  
12 200303 of this title, money” and inserting “Money”.

13 (2) CONTRACTS FOR ACQUISITION OF LAND  
14 AND WATER.—Section 200308 of title 54, United  
15 States Code, is amended in the first sentence, by  
16 striking “by section 200303 of this title”.

17 (3) CONTRACTS FOR OPTIONS TO ACQUIRE  
18 LAND AND WATER IN SYSTEM.—Section 200309 of  
19 title 54, United States Code, is amended in the third  
20 sentence by striking “by section 200303 of this  
21 title”.

22 **SEC. 202. IDENTIFYING OPPORTUNITIES FOR RECREATION,**  
23 **HUNTING, AND FISHING ON FEDERAL LAND.**

24 (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 the National Park Serv-  
4 ice, the United States Fish and Wildlife Service, the  
5 Forest Service, and the Bureau of Land Manage-  
6 ment.

7           (2) STATE OR REGIONAL OFFICE.—The term  
8 “State or regional office” means—

9                   (A) a State office of the Bureau of Land  
10 Management; or

11                   (B) a regional office of the National Park  
12 Service, the United States Fish and Wildlife  
13 Service, or the Forest Service.

14           (3) TRAVEL MANAGEMENT PLAN.—The term  
15 “travel management plan” means a plan for the  
16 management of travel—

17                   (A) with respect to land under the jurisdic-  
18 tion of the National Park Service, on park  
19 roads and designated routes under section 4.10  
20 of title 36, Code of Federal Regulations (or suc-  
21 cessor regulations);

22                   (B) with respect to land under the jurisdic-  
23 tion of the United States Fish and Wildlife  
24 Service, on the land under a comprehensive con-  
25 servation plan prepared under section 4(e) of

1 the National Wildlife Refuge System Adminis-  
2 tration Act of 1966 (16 U.S.C. 668dd(e));

3 (C) with respect to land under the jurisdic-  
4 tion of the Forest Service, on National Forest  
5 System land under part 212 of title 36, Code  
6 of Federal Regulations (or successor regula-  
7 tions); and

8 (D) with respect to land under the jurisdic-  
9 tion of the Bureau of Land Management, under  
10 a resource management plan developed under  
11 the Federal Land Policy and Management Act  
12 of 1976 (43 U.S.C. 1701 et seq.).

13 (b) PRIORITY LISTS REQUIRED.—

14 (1) IN GENERAL.—Not later than 180 days  
15 after the date of enactment of this Act, annually  
16 during the 10-year period beginning on the date on  
17 which the first priority list is completed, and every  
18 5 years after the end of the 10-year period, each  
19 head of each State or regional office shall prepare a  
20 priority list, to be made publicly available on the  
21 website of the applicable Federal public land man-  
22 agement agency, which shall identify the location  
23 and acreage of land under the jurisdiction of the  
24 State or regional office on which the public is al-

1       lowed, under Federal or State law, to hunt, fish, or  
2       use the land for other recreational purposes but—

3               (A) to which there is no public access or  
4       egress; or

5               (B) to which public access or egress to the  
6       legal boundaries of the land is significantly re-  
7       stricted (as determined by the head of the State  
8       or regional office).

9       (2) MINIMUM SIZE.—Any land identified under  
10      paragraph (1) shall consist of contiguous acreage of  
11      at least 640 acres.

12      (3) CONSIDERATIONS.—In preparing the pri-  
13      ority list required under paragraph (1), the head of  
14      the State or regional office shall consider with re-  
15      spect to the land—

16              (A) whether access is absent or merely re-  
17      stricted, including the extent of the restriction;

18              (B) the likelihood of resolving the absence  
19      of or restriction to public access;

20              (C) the potential for recreational use;

21              (D) any information received from the  
22      public or other stakeholders during the nomina-  
23      tion process described in paragraph (5); and

24              (E) any other factor as determined by the  
25      head of the State or regional office.

1           (4) ADJACENT LAND STATUS.—For each parcel  
2 of land on the priority list, the head of the State or  
3 regional office shall state whether resolving the issue  
4 of public access or egress to the land would require  
5 acquisition of an easement, right-of-way, or fee title  
6 from—

7                   (A) another Federal agency;

8                   (B) a State, local, or tribal government; or

9                   (C) a private landowner.

10           (5) NOMINATION PROCESS.—In preparing a pri-  
11 ority list under this section, the head of the State  
12 or regional office shall provide an opportunity for  
13 members of the public to nominate parcels for inclu-  
14 sion on the priority list.

15           (c) ACCESS OPTIONS.—With respect to land included  
16 on a priority list described in subsection (b), the head of  
17 the State or regional office shall develop and submit to  
18 the Committees on Appropriations and Energy and Nat-  
19 ural Resources of the Senate and the Committees on Ap-  
20 propriations and Natural Resources of the House of Rep-  
21 resentatives a report on options for providing access  
22 that—

23                   (1) identifies how public access and egress  
24 could reasonably be provided to the legal boundaries

1 of the land in a manner that minimizes the impact  
2 on wildlife habitat and water quality;

3 (2) specifies the steps recommended to secure  
4 the access and egress, including acquiring an ease-  
5 ment, right-of-way, or fee title from a willing owner  
6 of any land that abuts the land or the need to co-  
7 ordinate with State land management agencies or  
8 other Federal, State, or tribal governments to allow  
9 for such access and egress; and

10 (3) is consistent with the travel management  
11 plan in effect on the land.

12 (d) PROTECTION OF PERSONALLY IDENTIFYING IN-  
13 FORMATION.—In making the priority list and report pre-  
14 pared under subsections (b) and (c) available, the head  
15 of the State or regional office shall ensure that no person-  
16 ally identifying information is included, such as names or  
17 addresses of individuals or entities.

18 (e) WILLING OWNERS.—For purposes of providing  
19 any permits to, or entering into agreements with, a State,  
20 local, or tribal government or private landowner with re-  
21 spect to the use of land under the jurisdiction of the gov-  
22 ernment or landowner, a Federal land management agen-  
23 cy shall not take into account whether the State, local,  
24 or tribal government or private landowner has granted or  
25 denied public access or egress to the land.



1 (f) MEANS OF PUBLIC ACCESS AND EGRESS IN-  
2 CLUDED.—In considering public access and egress under  
3 subsections (b) and (c), the head of the applicable Federal  
4 public land management agency shall consider public ac-  
5 cess and egress to the legal boundaries of the land de-  
6 scribed in those subsections, including access and egress—

7 (1) by motorized or non-motorized vehicles; and

8 (2) on foot or horseback.

9 (g) EFFECT.—

10 (1) IN GENERAL.—This section shall have no  
11 effect on whether a particular recreational use shall  
12 be allowed on the land included in a priority list  
13 under this section.

14 (2) EFFECT OF ALLOWABLE USES ON AGENCY  
15 CONSIDERATION.—In preparing the priority list  
16 under subsection (b), the head of the applicable  
17 State or regional office shall only consider rec-  
18 reational uses that are allowed on the land at the  
19 time that the priority list is prepared.

20 **SEC. 203. FEDERAL LAND TRANSACTION FACILITATION**  
21 **ACT.**

22 (a) IN GENERAL.—The Federal Land Transaction  
23 Facilitation Act is amended—

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

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

5                 (A) in subsection (a), by striking “(as in  
6 effect on the date of enactment of this Act)”;

7                 and

8                 (B) by striking subsection (d);

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

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

12                 (A) in paragraph (1)—

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

15                         (ii) by striking “; or” and inserting a  
16 semicolon;

17                 (B) in paragraph (2)—

18                         (i) by inserting “Public Law 105–  
19 263;” before “112 Stat.”; and

20                         (ii) by striking the period at the end  
21 and inserting a semicolon; and

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

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





1 (ii) by striking paragraph (3) and in-  
2 serting the following:

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

6 (B) in subsection (g)(2)—

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

12 “(A) IN GENERAL.—Officers”; and

13 (ii) by striking subparagraph (B) and  
14 inserting the following:

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

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

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

24 (2) CONFORMING AMENDMENT.—Section  
25 4(a)(1)(B) of the North American Wetlands Con-

1        servation Act (16 U.S.C. 4403(a)(1)(B)) is amended  
2        by striking “Secretary of the Board” and inserting  
3        “Executive Director of the Board”.

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

7            (1) in subsection (c)—

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

11            “(c) POWERS.—

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

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

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

24                    (D) in subparagraph (E) (as redesignated  
25                    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 2015 through 2020—

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 sserting “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”.