

[DISCUSSION DRAFT]115TH CONGRESS
1ST SESSION**H. R. _____**

To provide for the preservation of sportsmen's heritage and enhance recreation opportunities on Federal land, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. DUNCAN of South Carolina introduced the following bill; which was referred to the Committee on _____

A BILL

To provide for the preservation of sportsmen's heritage and enhance recreation opportunities on Federal land, 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.**

4 This Act may be cited as the "Sportsmen's Heritage
5 and Recreational Enhancement Act" or the "SHARE"
6 Act.

7 **SEC. 2. TABLE OF CONTENTS.**

8 The table of contents for this Act is as follows:

- Sec. 1. Short title.
Sec. 2. Table of contents.

TITLE I—FISHING PROTECTION ACT

- Sec. 101. Short title.
Sec. 102. Modification of definition.
Sec. 103. Limitation on authority to regulate ammunition and fishing tackle.

TITLE II—TARGET PRACTICE AND MARKSMANSHIP TRAINING SUPPORT ACT

- Sec. 201. Short title.
Sec. 202. Definition of public target range.
Sec. 203. Amendments to Pittman-Robertson Wildlife Restoration Act.
Sec. 204. Limits on liability.
Sec. 205. Sense of Congress regarding cooperation.

TITLE III—RECREATIONAL LANDS SELF-DEFENSE ACT

- Sec. 301. Short title.
Sec. 302. Protecting Americans from violent crime.

TITLE IV—WILDLIFE AND HUNTING HERITAGE CONSERVATION COUNCIL ADVISORY COMMITTEE

- Sec. 401. Wildlife and Hunting Heritage Conservation Council Advisory Committee.

TITLE V—RECREATIONAL FISHING AND HUNTING HERITAGE OPPORTUNITIES ACT

- Sec. 501. Short title.
Sec. 502. Definitions.
Sec. 503. Recreational fishing, hunting, and shooting.

TITLE VI—FARMER AND HUNTER PROTECTION ACT

- Sec. 601. Short title.
Sec. 602. Baiting of migratory game birds.

TITLE VII—TRANSPORTING BOWS ACROSS NATIONAL PARK SERVICE LANDS

- Sec. 701. Short title.
Sec. 702. Bowhunting opportunity and wildlife stewardship.

TITLE VIII—RESPECT FOR TREATIES AND RIGHTS

- Sec. 801. Respect for treaties and rights.

TITLE IX—STATE APPROVAL OF FISHING RESTRICTION

- Sec. 901. State or territorial approval of restriction of recreational or commercial fishing access to certain state or territorial waters.

TITLE X—OPEN BOOK ON EQUAL ACCESS TO JUSTICE

- Sec. 1001. Short title.
Sec. 1002. Modification of equal access to justice provisions.

TITLE XI—GOOD SAMARITAN SEARCH AND RECOVERY

- Sec. 1101. Short title.
- Sec. 1102. Expedited access to certain Federal land.

TITLE XII—INTERSTATE TRANSPORTATION OF FIREARMS OR AMMUNITION

- Sec. 1201. Interstate transportation of firearms or ammunition.

TITLE XIII—MISCELLANEOUS PROVISIONS

- Sec. 1301. Withdrawal of existing rule regarding hunting and trapping in Alaska.

TITLE XIV—POLAR BEAR CONSERVATION AND FAIRNESS ACT

- Sec. 1401. Short title.
- Sec. 1402. Permits for importation of polar bear trophies taken in sport hunts in Canada.

TITLE XV—NORTH AMERICAN WETLANDS CONSERVATION EXTENSION

- Sec. 1501. Short title.
- Sec. 1502. Authorization of appropriations.
- Sec. 1503. Limitation on expenditures for fee title acquisition.
- Sec. 1504. Enhanced report on expenditures.

TITLE XVI—GRAY WOLVES

- Sec. 1601. Reissuance of final rule regarding gray wolves in the Western Great Lakes.
- Sec. 1602. Reissuance of final rule regarding gray wolves in Wyoming.

TITLE XVII—HEARING PROTECTION

- Sec. 1701. Short title.
- Sec. 1702. Equal treatment of silencers and firearms.
- Sec. 1703. Treatment of certain silencers.
- Sec. 1704. Preemption of certain State laws in relation to firearm silencers.
- Sec. 1705. Destruction of records.
- Sec. 1706. Amendments to title 18, United States Code.
- Sec. 1707. Imposition of tax on firearm silencers or firearm mufflers.

TITLE XVIII—LAWFUL PURPOSE AND SELF-DEFENSE

- Sec. 1801. Short title.
- Sec. 1802. Elimination of authority to reclassify popular rifle ammunition as “armor piercing ammunition”.
- Sec. 1803. Elimination of restrictions on importation of non-National Firearms Act firearm or ammunition that may otherwise be lawfully possessed and sold in the United States.
- Sec. 1804. Protection of shotguns, shotgun shells, and large caliber rifles from arbitrary classification as “destructive devices”.
- Sec. 1805. Broadening of the temporary interstate transfer provision to allow temporary transfers for all lawful purposes rather than just for “sporting purposes”.

1 **TITLE I—FISHING PROTECTION**
2 **ACT**

3 **SEC. 101. SHORT TITLE.**

4 This title may be cited as the “Fishing Protection
5 Act”.

6 **SEC. 102. MODIFICATION OF DEFINITION.**

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

9 (1) in clause (v), by striking “and” at the end;

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

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

13 “(vii) any sport fishing equipment (as such
14 term is defined in subsection (a) of section 4162 of
15 the Internal Revenue Code of 1986) the sale of
16 which is subject to the tax imposed by section
17 4161(a) of such Code (determined without regard to
18 any exemptions from such tax as provided by section
19 4162 or 4221 or any other provision of such Code),
20 and sport fishing equipment components.”.

21 **SEC. 103. LIMITATION ON AUTHORITY TO REGULATE AM-**
22 **MUNITION AND FISHING TACKLE.**

23 Except as provided in section 20.21 of title 50, Code
24 of Federal Regulations, as in effect on the date of the en-
25 actment of this Act, or any substantially similar successor

1 regulation thereto, the Secretary of the Interior, the Sec-
2 retary of Agriculture, and any bureau, service, or office
3 of the Department of the Interior or the Department of
4 Agriculture, may not regulate the use of ammunition car-
5 tridges, ammunition components, or fishing tackle based
6 on the lead content thereof if such use is in compliance
7 with the law of the State in which the use occurs.

8 **TITLE II—TARGET PRACTICE**
9 **AND MARKSMANSHIP TRAIN-**
10 **ING SUPPORT ACT**

11 **SEC. 201. SHORT TITLE.**

12 This title may be cited as the “Target Practice and
13 Marksmanship Training Support Act”.

14 **SEC. 202. DEFINITION OF PUBLIC TARGET RANGE.**

15 In this title, the term “public target range” means
16 a specific location that—

17 (1) is identified by a governmental agency for
18 recreational shooting;

19 (2) is open to the public;

20 (3) may be supervised; and

21 (4) may accommodate archery or rifle, pistol, or
22 shotgun shooting.

1 **SEC. 203. AMENDMENTS TO PITTMAN-ROBERTSON WILD-**
2 **LIFE RESTORATION ACT.**

3 (a) DEFINITIONS.—Section 2 of the Pittman-Robert-
4 son Wildlife Restoration Act (16 U.S.C. 669a) is amend-
5 ed—

6 (1) by redesignating paragraphs (2) through
7 (8) as paragraphs (3) through (9), respectively; and
8 (2) by inserting after paragraph (1) the fol-
9 lowing:

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

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

14 “(B) is open to the public;

15 “(C) may be supervised; and

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

18 (b) EXPENDITURES FOR MANAGEMENT OF WILD-
19 LIFE AREAS AND RESOURCES.—Section 8(b) of the Pitt-
20 man-Robertson Wildlife Restoration Act (16 U.S.C.
21 669g(b)) is amended—

22 (1) by striking “(b) Each State” and inserting
23 the following:

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

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

3 (2) in paragraph (1) (as so designated), by
4 striking “construction, operation,” and inserting
5 “operation”;

6 (3) in the second sentence, by striking “The
7 non-Federal share” and inserting the following:

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

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

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

13 (5) by inserting after paragraph (1) (as des-
14 ignated by paragraph (1) of this subsection) the fol-
15 lowing:

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

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

24 (1) in subsection (a), by adding at the end the
25 following:

1 “(3) ALLOCATION OF ADDITIONAL AMOUNTS.—

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

8 (2) by striking subsection (b) and inserting the
9 following:

10 “(b) COST SHARING.—

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

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

23 (3) in subsection (c)(1)—

24 (A) by striking “Amounts made” and in-
25 serting the following:

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

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

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

11 **SEC. 204. LIMITS ON LIABILITY.**

12 (a) DISCRETIONARY FUNCTION.—For purposes of
13 chapter 171 of title 28, United States Code (commonly
14 referred to as the “Federal Tort Claims Act”), any action
15 by an agent or employee of the United States to manage
16 or allow the use of Federal land for purposes of target
17 practice or marksmanship training by a member of the
18 public shall be considered to be the exercise or perform-
19 ance of a discretionary function.

20 (b) CIVIL ACTION OR CLAIMS.—Except to the extent
21 provided in chapter 171 of title 28, United States Code,
22 the United States shall not be subject to any civil action
23 or claim for money damages for any injury to or loss of
24 property, personal injury, or death caused by an activity
25 occurring at a public target range that is—

1 (1) funded in whole or in part by the Federal
2 Government pursuant to the Pittman-Robertson
3 Wildlife Restoration Act (16 U.S.C. 669 et seq.); or
4 (2) located on Federal land.

5 **SEC. 205. SENSE OF CONGRESS REGARDING COOPERATION.**

6 It is the sense of Congress that, consistent with appli-
7 cable laws and regulations, the Chief of the Forest Service
8 and the Director of the Bureau of Land Management
9 should cooperate with State and local authorities and
10 other entities to carry out waste removal and other activi-
11 ties on any Federal land used as a public target range
12 to encourage continued use of that land for target practice
13 or marksmanship training.

14 **TITLE III—RECREATIONAL**
15 **LANDS SELF-DEFENSE ACT**

16 **SEC. 301. SHORT TITLE.**

17 This title may be cited as the “Recreational Lands
18 Self-Defense Act”.

19 **SEC. 302. PROTECTING AMERICANS FROM VIOLENT CRIME.**

20 The Secretary of the Army shall not promulgate or
21 enforce any regulation that prohibits an individual from
22 possessing a firearm, including a firearm that is assem-
23 bled, loaded, and functional, at a water resources develop-
24 ment project covered under section 327.0 of title 36, Code

1 of Federal Regulations (as in effect on the date of enact-
2 ment of this Act), if—

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

5 (2) the possession of the firearm is in compli-
6 ance with the law of the State in which the water
7 resources development project is located.

8 **TITLE IV—WILDLIFE AND HUNT-**
9 **ING HERITAGE CONSERVA-**
10 **TION COUNCIL ADVISORY**
11 **COMMITTEE**

12 **SEC. 401. WILDLIFE AND HUNTING HERITAGE CONSERVA-**
13 **TION COUNCIL ADVISORY COMMITTEE.**

14 The Fish and Wildlife Coordination Act (16 U.S.C.
15 661 et seq.) is amended by adding at the end the fol-
16 lowing:

17 **“SEC. 10. WILDLIFE AND HUNTING HERITAGE CONSERVA-**
18 **TION COUNCIL ADVISORY COMMITTEE.**

19 “(a) ESTABLISHMENT.—There is hereby established
20 the Wildlife and Hunting Heritage Conservation Council
21 Advisory Committee (in this section referred to as the ‘Ad-
22 visory Committee’) to advise the Secretaries of the Interior
23 and Agriculture on wildlife and habitat conservation,
24 hunting, and recreational shooting.

1 “(b) CONTINUANCE AND ABOLISHMENT OF EXIST-
2 ING WILDLIFE AND HUNTING HERITAGE CONSERVATION
3 COUNCIL.—The Wildlife and Hunting Heritage Conserva-
4 tion Council established pursuant to section 441 of the
5 Revised Statutes (43 U.S.C. 1457), section 2 of the Fish
6 and Wildlife Act of 1956 (16 U.S.C. 742a), and other Acts
7 applicable to specific bureaus of the Department of the
8 Interior—

9 “(1) shall continue until the date of the first
10 meeting of the Wildlife and Hunting Heritage Con-
11 servation Council established by subsection (a); and

12 “(2) is hereby abolished effective on that date.

13 “(c) DUTIES OF THE ADVISORY COMMITTEE.—The
14 Advisory Committee shall advise the Secretaries with re-
15 gard to—

16 “(1) implementation of Executive Order No.
17 13443: Facilitation of Hunting Heritage and Wild-
18 life Conservation, which directs Federal agencies ‘to
19 facilitate the expansion and enhancement of hunting
20 opportunities and the management of game species
21 and their habitat’;

22 “(2) policies or programs to conserve and re-
23 store wetlands, agricultural lands, grasslands, forest,
24 and rangeland habitats;

1 “(3) policies or programs to promote opportuni-
2 ties and access to hunting and shooting sports on
3 Federal lands;

4 “(4) policies or programs to recruit and retain
5 new hunters and shooters;

6 “(5) policies or programs that increase public
7 awareness of the importance of wildlife conservation
8 and the social and economic benefits of hunting and
9 shooting; and

10 “(6) policies or programs that encourage co-
11 ordination among the public, the hunting and shoot-
12 ing sports community, wildlife conservation groups,
13 and States, tribes, and the Federal Government.

14 “(d) MEMBERSHIP.—

15 “(1) APPOINTMENT.—

16 “(A) IN GENERAL.—The Advisory Com-
17 mittee shall consist of no more than 14 discre-
18 tionary members and 8 ex officio members.

19 “(B) EX OFFICIO MEMBERS.—The ex offi-
20 cio members are—

21 “(i) the Director of the United States
22 Fish and Wildlife Service or a designated
23 representative of the Director;

1 “(ii) the Director of the Bureau of
2 Land Management or a designated rep-
3 resentative of the Director;

4 “(iii) the Director of the National
5 Park Service or a designated representa-
6 tive of the Director;

7 “(iv) the Chief of the Forest Service
8 or a designated representative of the Chief;

9 “(v) the Chief of the Natural Re-
10 sources Conservation Service or a des-
11 ignated representative of the Chief;

12 “(vi) the Administrator of the Farm
13 Service Agency or a designated representa-
14 tive of the Administrator;

15 “(vii) the Executive Director of the
16 Association of Fish and Wildlife Agencies;
17 and

18 “(viii) the Administrator of the Small
19 Business Administration or designated rep-
20 resentative.

21 “(C) DISCRETIONARY MEMBERS.—The dis-
22 cretionary members shall be appointed jointly
23 by the Secretaries and at least one discretionary
24 member shall be from each of the following:

25 “(i) State fish and wildlife agencies.

1 “(ii) Game bird hunting organiza-
2 tions.

3 “(iii) Wildlife conservation organiza-
4 tions.

5 “(iv) Big game hunting organizations.

6 “(v) Waterfowl hunting organizations.

7 “(vi) The tourism, outfitter, or guid-
8 ing industry.

9 “(vii) The firearms or ammunition
10 manufacturing industry.

11 “(viii) The hunting or shooting equip-
12 ment retail industry.

13 “(ix) Tribal resource management or-
14 ganizations.

15 “(x) The agriculture industry.

16 “(xi) The ranching industry.

17 “(xii) Veterans service organization.

18 “(D) ELIGIBILITY.—Before appointing the
19 discretionary members, the Secretaries shall de-
20 termine whether each individual nominated for
21 appointment to the Advisory Committee, and
22 the organization each individual represents, ac-
23 tively support and promote sustainable-use
24 hunting, wildlife conservation, and recreational

1 shooting and shall only appoint such individuals
2 that meet this determination.

3 “(2) TERMS.—

4 “(A) IN GENERAL.—Except as provided in
5 subparagraph (B), members of the Advisory
6 Committee shall be appointed for a term of 4
7 years. Members shall not be appointed for more
8 than 3 consecutive or nonconsecutive terms.

9 “(B) TERMS OF INITIAL APPOINTEES.—As
10 designated by the Secretary at the time of ap-
11 pointment, of the members first appointed—

12 “(i) 6 members shall be appointed for
13 a term of 4 years;

14 “(ii) 4 members shall be appointed for
15 a term of 3 years; and

16 “(iii) 4 members shall be appointed
17 for a term of 2 years.

18 “(3) PRESERVATION OF PUBLIC ADVISORY STA-
19 TUS.—No individual may be appointed as a discre-
20 tionary member of the Advisory Committee while
21 serving as an officer or employee of the Federal
22 Government.

23 “(4) VACANCY AND REMOVAL.—

24 “(A) IN GENERAL.—Any vacancy on the
25 Advisory Committee shall be filled in the man-

1 ner in which the original appointment was
2 made.

3 “(B) REMOVAL.—Advisory Committee
4 members shall serve at the discretion of the
5 Secretaries and may be removed at any time for
6 good cause.

7 “(5) CONTINUATION OF SERVICE.—Each ap-
8 pointed member may continue to serve after the ex-
9 piration of the term of office to which such member
10 was appointed until a successor has been appointed.

11 “(6) CHAIRPERSON.—The Chairperson of the
12 Advisory Committee shall be appointed for a 3-year
13 term by the Secretaries, jointly, from among the
14 members of the Advisory Committee. An individual
15 may not be appointed as Chairperson for more than
16 2 consecutive or nonconsecutive terms.

17 “(7) PAY AND EXPENSES.—Members of the Ad-
18 visory Committee shall serve without pay for such
19 service, but each member of the Advisory Committee
20 may be reimbursed for travel and lodging incurred
21 through attending meetings of the Advisory Com-
22 mittee approved subgroup meetings in the same
23 amounts and under the same conditions as Federal
24 employees (in accordance with section 5703 of title
25 5, United States Code).

1 “(8) MEETINGS.—

2 “(A) IN GENERAL.—The Advisory Com-
3 mittee shall meet at the call of the Secretaries,
4 the chairperson, or a majority of the members,
5 but not less frequently than twice annually.

6 “(B) OPEN MEETINGS.—Each meeting of
7 the Advisory Committee shall be open to the
8 public.

9 “(C) PRIOR NOTICE OF MEETINGS.—Time-
10 ly notice of each meeting of the Advisory Com-
11 mittee shall be published in the Federal Reg-
12 ister and be submitted to trade publications and
13 publications of general circulation.

14 “(D) SUBGROUPS.—The Advisory Com-
15 mittee may establish such workgroups or sub-
16 groups as it deems necessary for the purpose of
17 compiling information or conducting research.
18 However, such workgroups may not conduct
19 business without the direction of the Advisory
20 Committee and must report in full to the Advi-
21 sory Committee.

22 “(9) QUORUM.—Nine members of the Advisory
23 Committee shall constitute a quorum.

1 “(e) EXPENSES.—The expenses of the Advisory Com-
2 mittee that the Secretaries determine to be reasonable and
3 appropriate shall be paid by the Secretaries.

4 “(f) ADMINISTRATIVE SUPPORT, TECHNICAL SERV-
5 ICES, AND ADVICE.—A designated Federal Officer shall
6 be jointly appointed by the Secretaries to provide to the
7 Advisory Committee the administrative support, technical
8 services, and advice that the Secretaries determine to be
9 reasonable and appropriate.

10 “(g) ANNUAL REPORT.—

11 “(1) REQUIRED.—Not later than September 30
12 of each year, the Advisory Committee shall submit
13 a report to the Secretaries, the Committee on Nat-
14 ural Resources and the Committee on Agriculture of
15 the House of Representatives, and the Committee on
16 Energy and Natural Resources and the Committee
17 on Agriculture, Nutrition, and Forestry of the Sen-
18 ate. If circumstances arise in which the Advisory
19 Committee cannot meet the September 30 deadline
20 in any year, the Secretaries shall advise the Chair-
21 persons of each such Committee of the reasons for
22 such delay and the date on which the submission of
23 the report is anticipated.

24 “(2) CONTENTS.—The report required by para-
25 graph (1) shall describe—

1 “(A) the activities of the Advisory Com-
2 mittee during the preceding year;

3 “(B) the reports and recommendations
4 made by the Advisory Committee to the Secre-
5 taries during the preceding year; and

6 “(C) an accounting of actions taken by the
7 Secretaries as a result of the recommendations.

8 “(h) FEDERAL ADVISORY COMMITTEE ACT.—The
9 Advisory Committee shall be exempt from the Federal Ad-
10 visory Committee Act (5 U.S.C. App.).”.

11 **TITLE V—RECREATIONAL FISH-**
12 **ING AND HUNTING HERITAGE**
13 **OPPORTUNITIES ACT**

14 **SEC. 501. SHORT TITLE.**

15 This title may be cited as the “Recreational Fishing
16 and Hunting Heritage and Opportunities Act”.

17 **SEC. 502. DEFINITIONS.**

18 In this title:

19 (1) FEDERAL PUBLIC LAND.—The term “Fed-
20 eral public land” means any land or water that is
21 owned and managed by the Bureau of Land Man-
22 agement or the Forest Service.

23 (2) FEDERAL PUBLIC LAND MANAGEMENT OF-
24 FICIALS.—The term “Federal public land manage-
25 ment officials” means—

1 (A) the Secretary of the Interior and Di-
2 rector of the Bureau of Land Management re-
3 garding Bureau of Land Management lands
4 and waters; and

5 (B) the Secretary of Agriculture and Chief
6 of the Forest Service regarding the National
7 Forest System.

8 (3) HUNTING.—

9 (A) IN GENERAL.—Except as provided in
10 subparagraph (B), the term “hunting” means
11 use of a firearm, bow, or other authorized
12 means in the lawful—

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

15 (ii) attempt to pursue, shoot, capture,
16 collect, trap, or kill wildlife; or

17 (iii) the training of hunting dogs, in-
18 cluding field trials.

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

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

1 (A) pursuit, capture, collection, or killing
2 of fish; or

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

4 (5) RECREATIONAL SHOOTING.—The term
5 “recreational shooting” means any form of sport,
6 training, competition, or pastime, whether formal or
7 informal, that involves the discharge of a rifle, hand-
8 gun, or shotgun, or the use of a bow and arrow.

9 **SEC. 503. RECREATIONAL FISHING, HUNTING, AND SHOOT-**
10 **ING.**

11 (a) IN GENERAL.—Subject to valid existing rights
12 and subsection (g), and cooperation with the respective
13 State fish and wildlife agency, Federal public land man-
14 agement officials shall exercise authority under existing
15 law, including provisions regarding land use planning, to
16 facilitate use of and access to Federal public lands, includ-
17 ing National Monuments, Wilderness Areas, Wilderness
18 Study Areas, and lands administratively classified as wil-
19 derness eligible or suitable and primitive or semi-primitive
20 areas, for recreational fishing, hunting, and shooting, ex-
21 cept as limited by—

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

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

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

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

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

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

18 (3) in accordance with applicable Federal law.

19 (c) PLANNING.—

20 (1) EVALUATION OF EFFECTS ON OPPORTUNI-
21 TIES TO ENGAGE IN RECREATIONAL FISHING, HUNT-
22 ING, OR SHOOTING.—Federal public land planning
23 documents, including land resources management
24 plans, resource management plans, and comprehen-
25 sive conservation plans, shall include a specific eval-

1 uation of the effects of such plans on opportunities
2 to engage in recreational fishing, hunting, or shoot-
3 ing.

4 (2) NO MAJOR FEDERAL ACTION.—No action
5 taken under this title, or under section 4 of the Na-
6 tional Wildlife Refuge System Administration Act of
7 1966 (16 U.S.C. 668dd), either individually or cu-
8 mulatively with other actions involving Federal pub-
9 lic lands or lands managed by the United States
10 Fish and Wildlife Service, shall be considered under
11 the National Environmental Policy Act of 1969 (42
12 U.S.C. 4321 et seq.) to be a major Federal action
13 significantly affecting the quality of the human envi-
14 ronment, and no additional identification, analysis,
15 or consideration of environmental effects, including
16 cumulative effects, is necessary or required with re-
17 spect to such an action.

18 (3) OTHER ACTIVITY NOT CONSIDERED.—Fed-
19 eral public land management officials are not re-
20 quired to consider the existence or availability of rec-
21 reational fishing, hunting, or shooting opportunities
22 on adjacent or nearby public or private lands in the
23 planning for or determination of which Federal pub-
24 lic lands are open for these activities or in the set-
25 ting of levels of use for these activities on Federal

1 public lands, unless the combination or coordination
2 of such opportunities would enhance the recreational
3 fishing, hunting, or shooting opportunities available
4 to the public.

5 (d) FEDERAL PUBLIC LANDS.—

6 (1) LANDS OPEN.—Notwithstanding any other
7 law, lands under the jurisdiction of the Bureau of
8 Land Management or the Forest Service, including
9 Wilderness Areas, Wilderness Study Areas, lands
10 designated as wilderness or administratively classi-
11 fied as wilderness eligible or suitable and primitive
12 or semi-primitive areas and National Monuments,
13 but excluding lands on the Outer Continental Shelf,
14 shall be open to recreational fishing, hunting, and
15 shooting unless the managing Federal agency acts to
16 close lands to such activity. Lands may be made
17 subject to closure to or restriction on recreational
18 fishing, hunting, or shooting if determined by the
19 head of the agency concerned to be necessary and
20 reasonable and supported by facts and evidence, for
21 purposes including resource conservation, public
22 safety, energy or mineral production, energy genera-
23 tion or transmission infrastructure, water supply fa-
24 cilities, protection of other permittees, protection of

1 private property rights or interest, national security,
2 or compliance with other law.

3 (2) SHOOTING RANGES.—

4 (A) IN GENERAL.—The head of each Fed-
5 eral agency shall use his or her authorities in
6 a manner consistent with this title and other
7 applicable law, to—

8 (i) lease or permit use of lands under
9 the jurisdiction of the agency for shooting
10 ranges; and

11 (ii) designate specific lands under the
12 jurisdiction of the agency for recreational
13 shooting activities.

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

21 (e) NECESSITY IN WILDERNESS AREAS AND “WITH-
22 IN AND SUPPLEMENTAL TO” WILDERNESS PURPOSES.—

23 (1) MINIMUM REQUIREMENTS FOR ADMINIS-
24 TRATION.—The provision of opportunities for rec-
25 reational fishing, hunting, and shooting and the con-

1 servation of fish and wildlife to provide sustainable
2 use recreational opportunities on designated Federal
3 wilderness areas shall constitute measures necessary
4 to meet the minimum requirements for the adminis-
5 tration of the wilderness area, provided that this de-
6 termination shall not authorize or facilitate com-
7 modity development, use, or extraction, motorized
8 recreational access or use that is not otherwise al-
9 lowed under the Wilderness Act (16 U.S.C. 1131 et
10 seq.), or permanent road construction or mainte-
11 nance within designated wilderness areas.

12 (2) APPLICATION OF WILDERNESS ACT.—Provi-
13 sions of the Wilderness Act (16 U.S.C. 1131 et
14 seq.), stipulating that wilderness purposes are “with-
15 in and supplemental to” the purposes of the under-
16 lying Federal land unit are reaffirmed. When seek-
17 ing to carry out fish and wildlife conservation pro-
18 grams and projects or provide fish and wildlife de-
19 pendent recreation opportunities on designated wil-
20 derness areas, the head of each Federal agency shall
21 implement these supplemental purposes so as to fa-
22 cilitate, enhance, or both, but not to impede the un-
23 derlying Federal land purposes when seeking to
24 carry out fish and wildlife conservation programs
25 and projects or provide fish and wildlife dependent

1 recreation opportunities in designated wilderness
2 areas, provided that such implementation shall not
3 authorize or facilitate commodity development, use
4 or extraction, or permanent road construction or use
5 within designated wilderness areas.

6 (f) REPORT.—Beginning on the second October 1
7 after the date of the enactment of this title and biennially
8 on October 1 thereafter, the head of each Federal agency
9 who has authority to manage Federal public land on which
10 recreational fishing, hunting, or shooting occurs shall sub-
11 mit to the Committee on Natural Resources of the House
12 of Representatives and the Committee on Energy and
13 Natural Resources of the Senate a report that describes—

14 (1) any Federal public land administered by the
15 agency head that was closed to recreational fishing,
16 hunting, or shooting at any time during the pre-
17 ceding year; and

18 (2) the reason for the closure.

19 (g) CLOSURES OR SIGNIFICANT RESTRICTIONS OF
20 640 OR MORE ACRES.—

21 (1) IN GENERAL.—Other than closures estab-
22 lished or prescribed by land planning actions re-
23 ferred to in subsection (d) or emergency closures de-
24 scribed in paragraph (3) of this subsection, a perma-
25 nent or temporary withdrawal, change of classifica-

tion, or change of management status of Federal public land that effectively closes or significantly restricts 640 or more contiguous acres of Federal public land to access or use for recreational fishing or hunting or activities related to recreational fishing or hunting, or both, shall take effect only if, before the date of withdrawal or change, the head of the Federal agency that has jurisdiction over the Federal public land—

(A) publishes appropriate notice of the withdrawal or change, respectively;

(B) demonstrates that coordination has occurred with a State fish and wildlife agency; and

(C) submits to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate written notice of the withdrawal or change, respectively.

(2) AGGREGATE OR CUMULATIVE EFFECTS.—If the aggregate or cumulative effect of separate withdrawals or changes effectively closes or significantly restricts 1,280 or more acres of land or water, such withdrawals and changes shall be treated as a single withdrawal or change for purposes of paragraph (1).

1 (3) EMERGENCY CLOSURES.—Nothing in this
2 title prohibits a Federal land management agency
3 from establishing or implementing emergency clo-
4 sures or restrictions of the smallest practicable area
5 to provide for public safety, resource conservation,
6 national security, or other purposes authorized by
7 law. Such an emergency closure shall terminate after
8 a reasonable period of time unless converted to a
9 permanent closure consistent with this title.

10 (h) NATIONAL PARK SERVICE UNITS NOT AF-
11 FECTED.—Nothing in this title shall affect or modify man-
12 agement or use of units of the National Park System.

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

18 (j) CONSULTATION WITH COUNCILS.—In fulfilling
19 the duties set forth in this Act, the heads of Federal agen-
20 cies shall consult with respective advisory councils as es-
21 tablished in Executive Order Nos. 12962 and 13443.

22 (k) AUTHORITY OF THE STATES.—

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

1 bility of any State to exercise primary management,
2 control, or regulation of fish and wildlife under State
3 law (including regulations) on land or water within
4 the State, including on Federal public land.

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

14 **TITLE VI—FARMER AND HUNTER** 15 **PROTECTION ACT**

16 **SEC. 601. SHORT TITLE.**

17 This title may be cited as the “Hunter and Farmer
18 Protection Act”.

19 **SEC. 602. BAITING OF MIGRATORY GAME BIRDS.**

20 Section 3 of the Migratory Bird Treaty Act (16
21 U.S.C. 704) is amended by striking subsection (b) and in-
22 serting the following:

23 “(b) PROHIBITION OF BAITING.—

24 “(1) DEFINITIONS.—In this subsection:

25 “(A) BAITED AREA.—

1 “(i) IN GENERAL.—The term ‘baited
2 area’ means—

3 “(I) any area on which salt,
4 grain, or other feed has been placed,
5 exposed, deposited, distributed, or
6 scattered, if the salt, grain, or feed
7 could lure or attract migratory game
8 birds; and

9 “(II) in the case of waterfowl,
10 cranes (family Gruidae), and coots
11 (family Rallidae), a standing,
12 unharvested crop that has been ma-
13 nipulated through activities such as
14 mowing, discing, or rolling, unless the
15 activities are normal agricultural prac-
16 tices.

17 “(ii) EXCLUSIONS.—An area shall not
18 be considered to be a ‘baited area’ if the
19 area—

20 “(I) has been treated with a nor-
21 mal agricultural practice;

22 “(II) has standing crops that
23 have not been manipulated; or

24 “(III) has standing crops that
25 have been or are flooded.

1 “(B) BAITING.—The term ‘baiting’ means
2 the direct or indirect placing, exposing, depos-
3 iting, distributing, or scattering of salt, grain,
4 or other feed that could lure or attract migra-
5 tory game birds to, on, or over any areas on
6 which a hunter is attempting to take migratory
7 game birds.

8 “(C) MIGRATORY GAME BIRD.—The term
9 ‘migratory game bird’ means migratory bird
10 species—

11 “(i) that are within the taxonomic
12 families of Anatidae, Columbidae, Gruidae,
13 Rallidae, and Scolopacidae; and

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

16 “(D) NORMAL AGRICULTURAL PRAC-
17 TICE.—

18 “(i) IN GENERAL.—The term ‘normal
19 agricultural practice’ means any practice in
20 one annual growing season that—

21 “(I) is carried out in order to
22 produce a marketable crop, including
23 planting, harvest, postharvest, or soil
24 conservation practices; and

1 “(II) is recommended for the
2 successful harvest of a given crop by
3 the applicable State office of the Co-
4 operative Extension System of the De-
5 partment of Agriculture, in consulta-
6 tion with, and if requested, the con-
7 currence of, the head of the applicable
8 State department of fish and wildlife.
9 “(ii) INCLUSIONS.—

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

1 landslide, mudslide, drought, fire,
2 snowstorm, or other catastrophe that
3 is declared a major disaster by the
4 President in accordance with section
5 401 of the Robert T. Stafford Dis-
6 aster Relief and Emergency Assist-
7 ance Act (42 U.S.C. 5170)).

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

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

22 “(2) PROHIBITION.—It shall be unlawful for
23 any person—

24 “(A) to take any migratory game bird by
25 baiting or on or over any baited area, if the

1 person knows or reasonably should know that
2 the area is a baited area; or

3 “(B) to place or direct the placement of
4 bait on or adjacent to an area for the purpose
5 of causing, inducing, or allowing any person to
6 take or attempt to take any migratory game
7 bird by baiting or on or over the baited area.

8 “(3) REGULATIONS.—The Secretary of the In-
9 terior may promulgate regulations to implement this
10 subsection.”.

11 **TITLE VII—TRANSPORTING**
12 **BOWS ACROSS NATIONAL**
13 **PARK SERVICE LANDS**

14 **SEC. 701. SHORT TITLE.**

15 This title may be cited as the “Hunter Access Cor-
16 ridors Act”.

17 **SEC. 702. BOWHUNTING OPPORTUNITY AND WILDLIFE**
18 **STEWARDSHIP.**

19 (a) IN GENERAL.—Subchapter II of chapter 1015 of
20 title 54, United States Code, is amended by adding at the
21 end the following:

22 **“§ 101513. Hunter access corridors**

23 “(a) DEFINITIONS.—In this section:

24 “(1) NOT READY FOR IMMEDIATE USE.—The
25 term ‘not ready for immediate use’ means—

1 “(A) a bow or crossbow, the arrows of
2 which are secured or stowed in a quiver or
3 other arrow transport case; and

4 “(B) with respect to a crossbow, uncocked.

5 “(2) VALID HUNTING LICENSE.—The term
6 ‘valid hunting license’ means a State-issued hunting
7 license that authorizes an individual to hunt on pri-
8 vate or public land adjacent to the System unit in
9 which the individual is located while in possession of
10 a bow or crossbow that is not ready for immediate
11 use.

12 “(b) TRANSPORTATION AUTHORIZED.—

13 “(1) IN GENERAL.—The Director shall not re-
14 quire a permit for, or promulgate or enforce any
15 regulation that prohibits an individual from trans-
16 porting bows and crossbows that are not ready for
17 immediate use across any System unit if—

18 “(A) in the case of an individual traversing
19 the System unit on foot—

20 “(i) the individual is not otherwise
21 prohibited by law from possessing the bows
22 and crossbows;

23 “(ii) the bows or crossbows are not
24 ready for immediate use throughout the

1 period during which the bows or crossbows
2 are transported across the System unit;

3 “(iii) the possession of the bows and
4 crossbows is in compliance with the law of
5 the State in which the System unit is lo-
6 cated; and

7 “(iv)(I) the individual possesses a
8 valid hunting license;

9 “(II) the individual is traversing
10 the System unit en route to a hunting
11 access corridor established under sub-
12 section (c)(1); or

13 “(III) the individual is traversing
14 the System unit in compliance with
15 any other applicable regulations or
16 policies; or

17 “(B) the bows or crossbows are not ready
18 for immediate use and remain inside a vehicle.

19 “(2) ENFORCEMENT.—Nothing in this sub-
20 section limits the authority of the Director to en-
21 force laws (including regulations) prohibiting hunt-
22 ing or the taking of wildlife in any System unit.

23 “(c) ESTABLISHMENT OF HUNTER ACCESS COR-
24 RIDORS.—

1 “(1) IN GENERAL.—On a determination by the
2 Director under paragraph (2), the Director may es-
3 tablish and publish (in accordance with section 1.5
4 of title 36, Code of Federal Regulations (or a suc-
5 cessor regulation)), on a publicly available map,
6 hunter access corridors across System units that are
7 used to access public land that is—

8 “(A) contiguous to a System unit; and

9 “(B) open to hunting.

10 “(2) DETERMINATION BY DIRECTOR.—The de-
11 termination referred to in paragraph (1) is a deter-
12 mination that the hunter access corridor would pro-
13 vide wildlife management or visitor experience bene-
14 fits within the boundary of the System unit in which
15 the hunter access corridor is located.

16 “(3) HUNTING SEASON.—The hunter access
17 corridors shall be open for use during hunting sea-
18 sons.

19 “(4) EXCEPTION.—The Director may establish
20 limited periods during which access through the
21 hunter access corridors is closed for reasons of pub-
22 lic safety, administration, or compliance with appli-
23 cable law. Such closures shall be clearly marked with
24 signs and dates of closures, and shall not include

1 gates, chains, walls, or other barriers on the hunter
2 access corridor.

3 “(5) IDENTIFICATION OF CORRIDORS.—The Di-
4 rector shall—

5 “(A) make information regarding hunter
6 access corridors available on the individual
7 website of the applicable System unit; and

8 “(B) provide information regarding any
9 processes established by the Director for trans-
10 porting legally taken game through individual
11 hunter access corridors.

12 “(6) REGISTRATION; TRANSPORTATION OF
13 GAME.—The Director may—

14 “(A) provide registration boxes to be lo-
15 cated at the trailhead of each hunter access cor-
16 ridor for self-registration;

17 “(B) provide a process for online self-reg-
18 istration; and

19 “(C) allow nonmotorized conveyances to
20 transport legally taken game through a hunter
21 access corridor established under this sub-
22 section, including game carts and sleds.

23 “(7) CONSULTATION WITH STATES.—The Di-
24 rector shall consult with each applicable State wild-

1 life agency to identify appropriate hunter access cor-
2 ridors.

3 “(d) EFFECT.—Nothing in this section—

4 “(1) diminishes, enlarges, or modifies any Fed-
5 eral or State authority with respect to hunting, rec-
6 reational shooting, or any other recreational activi-
7 ties within the boundaries of a System unit; or

8 “(2) authorizes—

9 “(A) the establishment of new trails in
10 System units; or

11 “(B) authorizes individuals to access areas
12 in System units, on foot or otherwise, that are
13 not open to such access.

14 “(e) NO MAJOR FEDERAL ACTION.—

15 “(1) IN GENERAL.—Any action taken under
16 this section shall not be considered a major Federal
17 action significantly affecting the quality of the
18 human environment under the National Environ-
19 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

20 “(2) NO ADDITIONAL ACTION REQUIRED.—No
21 additional identification, analyses, or consideration
22 of environmental effects (including cumulative envi-
23 ronmental effects) is necessary or required with re-
24 spect to an action taken under this section.”.

1 (b) CLERICAL AMENDMENT.—The table of sections
2 for title 54, United States Code, is amended by inserting
3 after the item relating to section 101512 the following:
“101513. Hunter access corridors.”.

4 **TITLE VIII—RESPECT FOR**
5 **TREATIES AND RIGHTS**

6 **SEC. 801. RESPECT FOR TREATIES AND RIGHTS.**

7 Nothing in this Act or the amendments made by this
8 Act shall be construed to affect or modify any treaty or
9 other right of any federally recognized Indian tribe.

10 **TITLE IX—STATE APPROVAL OF**
11 **FISHING RESTRICTION**

12 **SEC. 901. STATE OR TERRITORIAL APPROVAL OF RESTRIC-**
13 **TION OF RECREATIONAL OR COMMERCIAL**
14 **FISHING ACCESS TO CERTAIN STATE OR TER-**
15 **RITORIAL WATERS.**

16 (a) APPROVAL REQUIRED.—The Secretary of the In-
17 terior and the Secretary of Commerce shall not restrict
18 recreational or commercial fishing access to any State or
19 territorial marine waters or Great Lakes waters within the
20 jurisdiction of the National Park Service or the Office of
21 National Marine Sanctuaries, respectively, unless those re-
22 strictions are developed in coordination with, and ap-
23 proved by, the fish and wildlife management agency of the
24 State or territory that has fisheries management authority
25 over those waters.

1 (b) DEFINITION.—In this section, the term “marine
2 waters” includes coastal waters and estuaries.

3 **TITLE X—OPEN BOOK ON EQUAL**
4 **ACCESS TO JUSTICE**

5 **SEC. 1001. SHORT TITLE.**

6 This title may be cited as the “Open Book on Equal
7 Access to Justice Act”.

8 **SEC. 1002. MODIFICATION OF EQUAL ACCESS TO JUSTICE**
9 **PROVISIONS.**

10 (a) AGENCY PROCEEDINGS.—Section 504 of title 5,
11 United States Code, is amended—

12 (1) in subsection (c)(1), by striking “, United
13 States Code”;

14 (2) by redesignating subsection (f) as sub-
15 section (i); and

16 (3) by striking subsection (e) and inserting the
17 following:

18 “(e)(1) The Chairman of the Administrative Con-
19 ference of the United States, after consultation with the
20 Chief Counsel for Advocacy of the Small Business Admin-
21 istration, shall report to the Congress, not later than
22 March 31 of each year through the 6th calendar year be-
23 ginning after the initial report under this subsection is
24 submitted, on the amount of fees and other expenses
25 awarded during the preceding fiscal year pursuant to this

1 section. The report shall describe the number, nature, and
2 amount of the awards, the claims involved in the con-
3 troversy, and any other relevant information that may aid
4 the Congress in evaluating the scope and impact of such
5 awards. The report shall be made available to the public
6 online.

7 “(2)(A) The report required by paragraph (1) shall
8 account for all payments of fees and other expenses
9 awarded under this section that are made pursuant to a
10 settlement agreement, regardless of whether the settle-
11 ment agreement is sealed or otherwise subject to non-
12 disclosure provisions.

13 “(B) The disclosure of fees and other expenses re-
14 quired under subparagraph (A) does not affect any other
15 information that is subject to nondisclosure provisions in
16 the settlement agreement.

17 “(f) The Chairman of the Administrative Conference
18 shall create and maintain, during the period beginning on
19 the date the initial report under subsection (e) is sub-
20 mitted and ending one year after the date on which the
21 final report under that subsection is submitted, online a
22 searchable database containing the following information
23 with respect to each award of fees and other expenses
24 under this section:

1 “(1) The case name and number of the adver-
2 sary adjudication, if available.

3 “(2) The name of the agency involved in the
4 adversary adjudication.

5 “(3) A description of the claims in the adver-
6 sary adjudication.

7 “(4) The name of each party to whom the
8 award was made, as such party is identified in the
9 order or other agency document making the award.

10 “(5) The amount of the award.

11 “(6) The basis for the finding that the position
12 of the agency concerned was not substantially justi-
13 fied.

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

17 “(h) The head of each agency shall provide to the
18 Chairman of the Administrative Conference in a timely
19 manner all information requested by the Chairman to
20 comply with the requirements of subsections (e), (f), and
21 (g).”.

22 (b) COURT CASES.—Section 2412(d) of title 28,
23 United States Code, is amended by adding at the end the
24 following:

1 “(5)(A) The Chairman of the Administrative
2 Conference of the United States shall submit to the
3 Congress, not later than March 31 of each year
4 through the 6th calendar year beginning after the
5 initial report under this paragraph is submitted, a
6 report on the amount of fees and other expenses
7 awarded during the preceding fiscal year pursuant
8 to this subsection. The report shall describe the
9 number, nature, and amount of the awards, the
10 claims involved in each controversy, and any other
11 relevant information that may aid the Congress in
12 evaluating the scope and impact of such awards. The
13 report shall be made available to the public online.

14 “(B)(i) The report required by subparagraph
15 (A) shall account for all payments of fees and other
16 expenses awarded under this subsection that are
17 made pursuant to a settlement agreement, regard-
18 less of whether the settlement agreement is sealed or
19 otherwise subject to nondisclosure provisions.

20 “(ii) The disclosure of fees and other expenses
21 required under clause (i) does not affect any other
22 information that is subject to nondisclosure provi-
23 sions in the settlement agreement.

24 “(C) The Chairman of the Administrative Con-
25 ference shall include and clearly identify in the an-

1 nual report under subparagraph (A), for each case
2 in which an award of fees and other expenses is in-
3 cluded in the report—

4 “(i) any amounts paid from section 1304
5 of title 31 for a judgment in the case;

6 “(ii) the amount of the award of fees and
7 other expenses; and

8 “(iii) the statute under which the plaintiff
9 filed suit.

10 “(6) The Chairman of the Administrative Con-
11 ference shall create and maintain, during the period
12 beginning on the date the initial report under para-
13 graph (5) is submitted and ending one year after the
14 date on which the final report under that paragraph
15 is submitted, online a searchable database con-
16 taining the following information with respect to
17 each award of fees and other expenses under this
18 subsection:

19 “(A) The case name and number.

20 “(B) The name of the agency involved in
21 the case.

22 “(C) The name of each party to whom the
23 award was made, as such party is identified in
24 the order or other court document making the
25 award.

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

3 “(E) The amount of the award.

4 “(F) The basis for the finding that the po-
5 sition of the agency concerned was not substan-
6 tially justified.

7 “(7) The online searchable database described
8 in paragraph (6) may not reveal any information the
9 disclosure of which is prohibited by law or court
10 order.

11 “(8) The head of each agency (including the
12 Attorney General of the United States) shall provide
13 to the Chairman of the Administrative Conference of
14 the United States in a timely manner all information
15 requested by the Chairman to comply with the re-
16 quirements of paragraphs (5), (6), and (7).”.

17 (c) CLERICAL AMENDMENTS.—Section 2412 of title
18 28, United States Code, is amended—

19 (1) in subsection (d)(3), by striking “United
20 States Code,”; and

21 (2) in subsection (e)—

22 (A) by striking “of section 2412 of title
23 28, United States Code,” and inserting “of this
24 section”; and

1 (B) by striking “of such title” and insert-
2 ing “of this title”.

3 (d) EFFECTIVE DATE.—

4 (1) IN GENERAL.—The amendments made by
5 subsections (a) and (b) shall first apply with respect
6 to awards of fees and other expenses that are made
7 on or after the date of the enactment of this Act.

8 (2) INITIAL REPORTS.—The first reports re-
9 quired by section 504(e) of title 5, United States
10 Code, and section 2412(d)(5) of title 28, United
11 States Code, shall be submitted not later than
12 March 31 of the calendar year following the first
13 calendar year in which a fiscal year begins after the
14 date of the enactment of this Act.

15 (3) ONLINE DATABASES.—The online databases
16 required by section 504(f) of title 5, United States
17 Code, and section 2412(d)(6) of title 28, United
18 States Code, shall be established as soon as prac-
19 ticable after the date of the enactment of this Act,
20 but in no case later than the date on which the first
21 reports under section 504(e) of title 5, United States
22 Code, and section 2412(d)(5) of title 28, United
23 States Code, are required to be submitted under
24 paragraph (2) of this subsection.

1 **TITLE XI—GOOD SAMARITAN**
2 **SEARCH AND RECOVERY**

3 **SEC. 1101. SHORT TITLE.**

4 This title may be cited as the “Good Samaritan
5 Search and Recovery Act”.

6 **SEC. 1102. EXPEDITED ACCESS TO CERTAIN FEDERAL**
7 **LAND.**

8 (a) DEFINITIONS.—In this section:

9 (1) ELIGIBLE.—The term “eligible”, with re-
10 spect to an organization or individual, means that
11 the organization or individual, respectively, is—

12 (A) acting in a not-for-profit capacity; and

13 (B) composed entirely of members who, at
14 the time of the good Samaritan search-and-re-
15 covery mission, have attained the age of major-
16 ity under the law of the State where the mis-
17 sion takes place.

18 (2) GOOD SAMARITAN SEARCH-AND-RECOVERY
19 MISSION.—The term “good Samaritan search-and-
20 recovery mission” means a search conducted by an
21 eligible organization or individual for 1 or more
22 missing individuals believed to be deceased at the
23 time that the search is initiated.

1 (3) SECRETARY.—The term “Secretary” means
2 the Secretary of the Interior or the Secretary of Ag-
3 riculture, as applicable.

4 (b) PROCESS.—

5 (1) IN GENERAL.—Each Secretary shall develop
6 and implement a process to expedite access to Fed-
7 eral land under the administrative jurisdiction of the
8 Secretary for eligible organizations and individuals
9 to request access to Federal land to conduct good
10 Samaritan search-and-recovery missions.

11 (2) INCLUSIONS.—The process developed and
12 implemented under this subsection shall include pro-
13 visions to clarify that—

14 (A) an eligible organization or individual
15 granted access under this section—

16 (i) shall be acting for private pur-
17 poses; and

18 (ii) shall not be considered to be a
19 Federal volunteer;

20 (B) an eligible organization or individual
21 conducting a good Samaritan search-and-recov-
22 ery mission under this section shall not be con-
23 sidered to be a volunteer under section
24 102301(c) of title 54, United States Code;

1 (C) chapter 171 of title 28, United States
2 Code (commonly known as the “Federal Tort
3 Claims Act”), shall not apply to an eligible or-
4 ganization or individual carrying out a privately
5 requested good Samaritan search-and-recovery
6 mission under this section; and

7 (D) chapter 81 of title 5, United States
8 Code (commonly known as the “Federal Em-
9 ployees’ Compensation Act”), shall not apply to
10 an eligible organization or individual conducting
11 a good Samaritan search-and-recovery mission
12 under this section, and the conduct of the good
13 Samaritan search-and-recovery mission shall
14 not constitute civilian employment.

15 (c) RELEASE OF FEDERAL GOVERNMENT FROM LI-
16 ABILITY.—The Secretary shall not require an eligible or-
17 ganization or individual to have liability insurance as a
18 condition of accessing Federal land under this section, if
19 the eligible organization or individual—

20 (1) acknowledges and consents, in writing, to
21 the provisions described in subparagraphs (A)
22 through (D) of subsection (b)(2); and

23 (2) signs a waiver releasing the Federal Gov-
24 ernment from all liability relating to the access
25 granted under this section and agrees to indemnify

1 and hold harmless the United States from any
2 claims or lawsuits arising from any conduct by the
3 eligible organization or individual on Federal land.

4 (d) APPROVAL AND DENIAL OF REQUESTS.—

5 (1) IN GENERAL.—The Secretary shall notify
6 an eligible organization or individual of the approval
7 or denial of a request by the eligible organization or
8 individual to carry out a good Samaritan search-
9 and-recovery mission under this section by not later
10 than 48 hours after the request is made.

11 (2) DENIALS.—If the Secretary denies a re-
12 quest from an eligible organization or individual to
13 carry out a good Samaritan search-and-recovery mis-
14 sion under this section, the Secretary shall notify the
15 eligible organization or individual of—

16 (A) the reason for the denial of the re-
17 quest; and

18 (B) any actions that the eligible organiza-
19 tion or individual can take to meet the require-
20 ments for the request to be approved.

21 (e) PARTNERSHIPS.—Each Secretary shall develop
22 search-and-recovery-focused partnerships with search-and-
23 recovery organizations—

1 (1) to coordinate good Samaritan search-and-
2 recovery missions on Federal land under the admin-
3 istrative jurisdiction of the Secretary; and

4 (2) to expedite and accelerate good Samaritan
5 search-and-recovery mission efforts for missing indi-
6 viduals on Federal land under the administrative ju-
7 risdiction of the Secretary.

8 (f) REPORT.—Not later than 180 days after the date
9 of enactment of this Act, the Secretaries shall submit to
10 Congress a joint report describing—

11 (1) plans to develop partnerships described in
12 subsection (e)(1); and

13 (2) efforts carried out to expedite and accel-
14 erate good Samaritan search-and-recovery mission
15 efforts for missing individuals on Federal land under
16 the administrative jurisdiction of each Secretary
17 pursuant to subsection (e)(2).

18 **TITLE XII—INTERSTATE TRANS-**
19 **PORTATION OF FIREARMS OR**
20 **AMMUNITION**

21 **SEC. 1201. INTERSTATE TRANSPORTATION OF FIREARMS**
22 **OR AMMUNITION.**

23 (a) IN GENERAL.—Section 926A of title 18, United
24 States Code, is amended to read as follows:

1 **“§ 926A. Interstate transportation of firearms or am-**
2 **munition**

3 “(a) Notwithstanding any provision of any law, rule,
4 or regulation of a State or any political subdivision there-
5 of:

6 “(1) A person who is not prohibited by this
7 chapter from possessing, transporting, shipping, or
8 receiving a firearm or ammunition shall be entitled
9 to transport a firearm for any lawful purpose from
10 any place where the person may lawfully possess,
11 carry, or transport the firearm to any other such
12 place if, during the transportation, the firearm is
13 unloaded, and—

14 “(A) if the transportation is by motor vehi-
15 cle, the firearm is—

16 “(i) not directly accessible from the
17 passenger compartment of the vehicle;

18 “(ii) in a locked container other than
19 the glove compartment or console; or

20 “(iii) secured by a secure gun storage
21 or safety device; or

22 “(B) if the transportation is by other
23 means, the firearm is in a locked container or
24 secured by a secure gun storage or safety de-
25 vice.

1 “(2) A person who is not prohibited by this
2 chapter from possessing, transporting, shipping, or
3 receiving a firearm or ammunition shall be entitled
4 to transport ammunition for any lawful purpose
5 from any place where the person may lawfully pos-
6 sess, carry, or transport the ammunition, to any
7 other such place if, during the transportation, the
8 ammunition is not loaded into a firearm, and—

9 “(A) if the transportation is by motor vehi-
10 cle, the ammunition is—

11 “(i) not directly accessible from the
12 passenger compartment of the vehicle; or

13 “(ii) is in a locked container other
14 than the glove compartment or console; or

15 “(B) if the transportation is by other
16 means, the ammunition is in a locked container.

17 “(b) In subsection (a), the term ‘transport’ includes
18 staying in temporary lodging overnight, stopping for food,
19 fuel, vehicle maintenance, an emergency, medical treat-
20 ment, and any other activity incidental to the transport.

21 “(c)(1) A person who is transporting a firearm or
22 ammunition may not be arrested or otherwise detained for
23 violation of any law or any rule or regulation of a State
24 or any political subdivision thereof related to the posses-
25 sion, transportation, or carrying of firearms, unless there

1 is probable cause to believe that the person is doing so
2 in a manner not provided for in subsection (a).

3 “(2) When a person asserts this section as a defense
4 in a criminal proceeding, the prosecution shall bear the
5 burden of proving, beyond a reasonable doubt, that the
6 conduct of the person did not satisfy the conditions set
7 forth in subsection (a).

8 “(3) When a person successfully asserts this section
9 as a defense in a criminal proceeding, the court shall
10 award the prevailing defendant a reasonable attorney’s
11 fee.

12 “(d)(1) A person who is deprived of any right, privi-
13 lege, or immunity secured by this section, section 926B
14 or 926C, under color of any statute, ordinance, regulation,
15 custom, or usage of any State or any political subdivision
16 thereof, may bring an action in any appropriate court
17 against any other person, including a State or political
18 subdivision thereof, who causes the person to be subject
19 to the deprivation, for damages and other appropriate re-
20 lief.

21 “(2) The court shall award a plaintiff prevailing in
22 an action brought under paragraph (1) damages and such
23 other relief as the court deems appropriate, including a
24 reasonable attorney’s fee.”.

1 (b) CLERICAL AMENDMENT.—The table of sections
2 for such chapter is amended in the item relating to section
3 926A by striking “firearms” and inserting “firearms or
4 ammunition”.

5 **TITLE XIII—MISCELLANEOUS**
6 **PROVISIONS**

7 **SEC. 1301. WITHDRAWAL OF EXISTING RULE REGARDING**
8 **HUNTING AND TRAPPING IN ALASKA.**

9 The Director of the National Park Service shall with-
10 draw the final rule entitled “Alaska; Hunting and Trap-
11 ping in National Preserves” (80 Fed. Reg. 64325 (Octo-
12 ber 23, 2015)) by not later than 30 days after the date
13 of the enactment of this Act, and shall not issue a rule
14 that is substantially similar to that rule.

15 **TITLE XIV—POLAR BEAR CON-**
16 **SERVATION AND FAIRNESS**
17 **ACT**

18 **SEC. 1401. SHORT TITLE.**

19 This title may be cited as the “Polar Bear Conserva-
20 tion and Fairness Act”.

1 **SEC. 1402. PERMITS FOR IMPORTATION OF POLAR BEAR**
2 **TROPHIES TAKEN IN SPORT HUNTS IN CAN-**
3 **ADA.**

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

7 “(D)(i) The Secretary of the Interior shall, ex-
8 peditiously after the expiration of the applicable 30-
9 day period under subsection (d)(2), issue a permit
10 for the importation of any polar bear part (other
11 than an internal organ) from a polar bear taken in
12 a sport hunt in Canada to any person—

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

17 “(II) who has submitted, in support of a
18 permit application submitted before May 15,
19 2008, proof that the polar bear was legally har-
20 vested by the person before May 15, 2008, from
21 a polar bear population from which a sport-
22 hunted trophy could be imported before that
23 date in accordance with section 18.30(i) of title
24 50, Code of Federal Regulations.

25 “(ii) The Secretary shall issue permits under
26 clause (i)(I) without regard to subparagraphs (A)

1 and (C)(ii) of this paragraph, subsection (d)(3), and
2 sections 101 and 102. Sections 101(a)(3)(B) and
3 102(b)(3) shall not apply to the importation of any
4 polar bear part authorized by a permit issued under
5 clause (i)(I). This clause shall not apply to polar
6 bear parts that were imported before June 12, 1997.

7 “(iii) The Secretary shall issue permits under
8 clause (i)(II) without regard to subparagraph (C)(ii)
9 of this paragraph or subsection (d)(3). Sections
10 101(a)(3)(B) and 102(b)(3) shall not apply to the
11 importation of any polar bear part authorized by a
12 permit issued under clause (i)(II). This clause shall
13 not apply to polar bear parts that were imported be-
14 fore the date of enactment of the Polar Bear Con-
15 servation and Fairness Act.”.

16 **TITLE XV—NORTH AMERICAN** 17 **WETLANDS CONSERVATION** 18 **EXTENSION**

19 **SEC. 1501. SHORT TITLE.**

20 This title may be cited as the “North American Wet-
21 lands Conservation Extension Act”.

22 **SEC. 1502. AUTHORIZATION OF APPROPRIATIONS.**

23 Section 7(c) of the North American Wetlands Con-
24 servation Act (16 U.S.C. 4406(c)) is amended by striking
25 “not to exceed—” and all that follows through paragraph

1 (5) and inserting “not to exceed \$33,500,000 for each of
2 fiscal years 2018 through 2020.”.

3 **SEC. 1503. LIMITATION ON EXPENDITURES FOR FEE TITLE**
4 **ACQUISITION.**

5 (a) LIMITATION.—Section 6 of the North American
6 Wetlands Conservation Act (16 U.S.C. 4405) is amended
7 by adding at the end the following:

8 “(c) LIMITATION ON EXPENDITURES FOR LAND AC-
9 QUISTION.—Amounts appropriated under the authority of
10 this Act may not be used by the Secretary to acquire fee
11 title to land on behalf of the United States.”.

12 (b) APPLICATION.—The amendment made by sub-
13 section (a) shall not apply with respect to any specific land
14 acquisition required by contract or other agreement en-
15 tered into before the date of enactment of this Act.

16 **SEC. 1504. ENHANCED REPORT ON EXPENDITURES.**

17 Section 10(2) of the North American Wetlands Con-
18 servation Act (16 U.S.C. 4409(2)) is amended to read as
19 follows:

20 “(2) an annual assessment of the status of wet-
21 lands conservation projects, including an accounting
22 of—

23 “(A) expenditures by Federal, State, and
24 other United States entities;

1 “(B) expenditures made for fee-simple ac-
2 quisition of Federal lands in the United States;
3 and

4 “(C) expenditures by Canadian and Mexi-
5 can sources to carry out wetland projects fund-
6 ed under this Act.”.

7 **TITLE XVI—GRAY WOLVES**

8 **SEC. 1601. REISSUANCE OF FINAL RULE REGARDING GRAY** 9 **WOLVES IN THE WESTERN GREAT LAKES.**

10 Before the end of the 60-day period beginning on the
11 date of the enactment of this Act, the Secretary of the
12 Interior shall reissue the final rule published on December
13 28, 2011 (76 Fed. Reg. 81666), without regard to any
14 other provision of statute or regulation that applies to
15 issuance of such rule. Such reissuance shall not be subject
16 to judicial review.

17 **SEC. 1602. REISSUANCE OF FINAL RULE REGARDING GRAY** 18 **WOLVES IN WYOMING.**

19 Before the end of the 60-day period beginning on the
20 date of the enactment of this Act, the Secretary of the
21 Interior shall reissue the final rule published on September
22 10, 2012 (77 Fed. Reg. 55530), without regard to any
23 other provision of statute or regulation that applies to
24 issuance of such rule. Such reissuance shall not be subject
25 to judicial review.

1 **TITLE XVII—HEARING**
2 **PROTECTION**

3 **SEC. 1701. SHORT TITLE.**

4 This title may be cited as the “Hearing Protection
5 Act”.

6 **SEC. 1702. EQUAL TREATMENT OF SILENCERS AND FIRE-**
7 **ARMS.**

8 (a) IN GENERAL.—Section 5845(a) of the Internal
9 Revenue Code of 1986 is amended by striking “(7) any
10 silencer” and all that follows through “; and (8)” and in-
11 serting “; and (7)”.

12 (b) EFFECTIVE DATE.—The amendment made by
13 this section shall take effect on the date of the enactment
14 of this Act and, in the case of section 5811 of the Internal
15 Revenue Code of 1986, shall apply to transfers on or after
16 such date.

17 (c) CREDIT TO PURCHASER FOR TRANSFER TAXES
18 PAID BEFORE DATE OF ENACTMENT.—

19 (1) IN GENERAL.—There shall be allowed as a
20 credit against tax imposed by subtitle A of the Inter-
21 nal Revenue Code of 1986 for the taxable year
22 which includes the date of the enactment of this Act
23 an amount equal to \$200 for each silencer (within
24 the meaning of section 5845(a) of the Internal Rev-
25 enue Code of 1986 before amendment by this Act)

1 acquired by the taxpayer in a taxable transfer after
2 October 22, 2015, and before the date of the enact-
3 ment of this Act.

4 (2) TAXABLE TRANSFER.—For purposes of this
5 subsection, the term “taxable transfer” means a
6 transfer to which section 5811 of the Internal Rev-
7 enue Code of 1986 applied.

8 (3) TREATMENT AS REFUNDABLE CREDIT.—
9 The credit allowed under paragraph (1)—

10 (A) shall be treated for purposes of the In-
11 ternal Revenue Code of 1986 as a credit al-
12 lowed under subpart C of part IV of subchapter
13 A of chapter 1 of such Code, and

14 (B) shall be treated for purposes of section
15 1324 of title 31, United States Code, as a cred-
16 it provision of the Internal Revenue Code of
17 1986 referred to in subsection (b)(2) of such
18 section.

19 **SEC. 1703. TREATMENT OF CERTAIN SILENCERS.**

20 Section 5841 of the Internal Revenue Code of 1986
21 is amended by adding at the end the following:

22 “(f) FIREARM SILENCERS.—A person acquiring or
23 possessing a firearm silencer in accordance with chapter
24 44 of title 18, United States Code, shall be treated as
25 meeting any registration and licensing requirements of the

1 National Firearms Act (as in effect on the day before the
2 date of the enactment of this subsection) with respect to
3 such silencer.”.

4 **SEC. 1704. PREEMPTION OF CERTAIN STATE LAWS IN RELA-**
5 **TION TO FIREARM SILENCERS.**

6 Section 927 of title 18, United States Code, is
7 amended by adding at the end the following: “Notwith-
8 standing the preceding sentence, a law of a State or a
9 political subdivision of a State that imposes a tax, other
10 than a generally applicable sales or use tax, on making,
11 transferring, using, possessing, or transporting a firearm
12 silencer in or affecting interstate or foreign commerce, or
13 imposes a marking, recordkeeping or registration require-
14 ment with respect to such a firearm silencer, shall have
15 no force or effect.”.

16 **SEC. 1705. DESTRUCTION OF RECORDS.**

17 Not later than 365 days after the date of the enact-
18 ment of this Act, the Attorney General shall destroy any
19 registration of a silencer maintained in the National Fire-
20 arms Registration and Transfer Record pursuant to sec-
21 tion 5841 of the Internal Revenue Code of 1986, any ap-
22 plication to transfer filed under section 5812 of the Inter-
23 nal Revenue Code of 1986 that identifies the transferee
24 of a silencer, and any application to make filed under sec-

tion 5822 of the Internal Revenue Code of 1986 that identifies the maker of a silencer.

SEC. 1706. AMENDMENTS TO TITLE 18, UNITED STATES CODE.

Title 18, United States Code, is amended—

(1) in section 921(a), by striking paragraph (24) and inserting the following:

“(24)(A) The terms ‘firearm silencer’ and ‘firearm muffler’ mean any device for silencing, muffling, or diminishing the report of a portable firearm, including the ‘keystone part’ of such a device.

“(B) The term ‘keystone part’ means, with respect to a firearm silencer or firearm muffler, an externally visible part of a firearm silencer or firearm muffler, without which a device capable of silencing, muffling, or diminishing the report of a portable firearm cannot be assembled, but the term does not include any interchangeable parts designed to mount a firearm silencer or firearm muffler to a portable firearm.”;

(2) in section 922(b)—

(A) in paragraph (1), by striking “shotgun or rifle” the 1st place it appears and inserting “shotgun, rifle, firearm silencer or firearm muffler,”; and

1 (B) in paragraph (3), by striking “rifle or
2 shotgun” and inserting “shotgun, rifle, firearm
3 silencer or firearm muffler”; and
4 (3) in section 923(i)—

5 (A) by striking “Licensed” and inserting
6 the following:

7 “(1) In the case of a firearm other than a firearm
8 silencer or firearm muffler, licensed”; and

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

10 “(2) In the case of a firearm silencer or firearm muf-
11 fler, licensed importers and licensed manufacturers shall
12 identify by means of a serial number engraved or cast on
13 the keystone part of the firearm silencer or firearm muf-
14 fler, in such manner as the Attorney General shall by reg-
15 ulations prescribe, each firearm silencer or firearm muffler
16 imported or manufactured by such importer or manufac-
17 turer, except that, if a firearm silencer or firearm muffler
18 does not have a clearly identifiable keystone part or has
19 multiple keystone parts, licensed importers or licensed
20 manufacturers shall submit a request for a marking vari-
21 ance to the Attorney General. The Attorney General shall
22 grant such a request except on showing good cause that
23 marking the firearm silencer or firearm muffler as re-
24 quested would not further the purposes of this chapter.”.

1 **SEC. 1707. IMPOSITION OF TAX ON FIREARM SILENCERS OR**
2 **FIREARM MUFFLERS.**

3 (a) IN GENERAL.—Section 4181 of the Internal Rev-
4 enue Code of 1986 is amended by adding at the end of
5 the list relating to “Articles taxable at 10 percent” the
6 following:

7 “Firearm silencers or firearm mufflers as defined in
8 section 921(a)(24) of title 18, United States Code.”.

9 (b) CONFORMING AMENDMENTS.—

10 (1) Section 4181 of such Code is amended by
11 striking “pistols and revolvers” and inserting “arti-
12 cles taxable at 10 percent under this section”.

13 (2) Section 4182(b) of such Code is amended
14 by striking “firearms, pistols, revolvers, shells, and
15 cartridges” and inserting “articles described in sec-
16 tion 4181”.

17 (3) Section 4182(c)(1) of such Code is amended
18 by striking “or firearm” and inserting “firearm,
19 firearm silencer, or firearm muffler,”.

20 (c) EFFECTIVE DATE.—The amendments made by
21 this section shall apply to articles sold by the manufac-
22 turer, producer, or importer after the date of the enact-
23 ment of this Act.

1 **TITLE XVIII—LAWFUL PURPOSE**
2 **AND SELF-DEFENSE**

3 **SECTION 1801. SHORT TITLE.**

4 This Act may be cited as the “Lawful Purpose and
5 Self Defense Act”.

6 **SEC. 1802. ELIMINATION OF AUTHORITY TO RECLASSIFY**
7 **POPULAR RIFLE AMMUNITION AS “ARMOR**
8 **PIERCING AMMUNITION”.**

9 Section 921(a)(17) of title 18, United States Code,
10 is amended—

11 (1) in subparagraph (B)(i), by striking “may be
12 used” and inserting “is designed and intended by
13 the manufacturer or importer for use”;

14 (2) in subparagraph (B)(ii), by inserting “by
15 the manufacturer or importer” before “for use”; and

16 (3) in subparagraph (C), by striking “the At-
17 torney General finds is primarily intended to be used
18 for sporting purposes” and inserting “is primarily
19 intended by the manufacturer or importer to be used
20 in a rifle or shotgun, a handgun projectile that is de-
21 signed and intended by the manufacturer or im-
22 porter to be used for hunting, recreational, or com-
23 petitive shooting”.

1 **SEC. 1803. ELIMINATION OF RESTRICTIONS ON IMPORTA-**
2 **TION OF NON-NATIONAL FIREARMS ACT**
3 **FIREARM OR AMMUNITION THAT MAY OTH-**
4 **ERWISE BE LAWFULLY POSSESSED AND SOLD**
5 **IN THE UNITED STATES.**

6 (a) ELIMINATION OF PROHIBITIONS.—Section 922 of
7 title 18, United States Code, is amended—

8 (1) in subsection (a), by striking paragraph (7)
9 and inserting the following:

10 “(7) for any person to manufacture or import
11 armor piercing ammunition, unless the manufacture
12 or importation of the ammunition—

13 “(A) is for the use of the United States,
14 any department or agency of the United States,
15 any State, or any department, agency, or polit-
16 ical subdivision of a State;

17 “(B) is for the purpose of exportation; or

18 “(C) is for the purpose of testing or ex-
19 perimentation, and has been authorized by the
20 Attorney General;”;

21 (2) in subsection (l), by striking “925(d) of this
22 chapter” and inserting “925”; and

23 (3) by striking subsection (r).

24 (b) BROADENING OF EXCEPTIONS.—Section 925 of
25 such title is amended—

1 (1) in subsection (a)(3), by striking “deter-
2 mined” and all that follows through the end and in-
3 serting “intended for the lawful personal use of such
4 member or club.”;

5 (2) in subsection (a)(4), by striking “(A)” and
6 all that follows through “for the” and inserting “in-
7 tended for the lawful”; and

8 (3) by striking subsections (d) through (f) and
9 inserting the following:

10 “(d)(1) Within 30 days after the Attorney General
11 receives an application therefor, the Attorney General
12 shall authorize a firearm or ammunition to be imported
13 or brought into the United States or any possession there-
14 of if—

15 “(A) the firearm or ammunition is being im-
16 ported or brought in for scientific, research, testing,
17 or experimentation purposes;

18 “(B) the firearm is an unserviceable firearm
19 (other than a machine gun as defined in section
20 5845(b) of the Internal Revenue Code of 1986 that
21 is readily restorable to firing condition) imported or
22 brought in as a curio or museum piece;

23 “(C) the firearm is not a firearm as defined in
24 section 5845(a) of the Internal Revenue Code of
25 1986;

1 “(D) the ammunition is not armor piercing am-
2 munition (as defined in section 921(a)(17)(B) of
3 this title), unless subparagraph (A), (E), (F), or (G)
4 applies;

5 “(E) the firearm or ammunition is being im-
6 ported or brought in for the use of the United
7 States, any department or agency of the United
8 States, any State, or any department, agency, or po-
9 litical subdivision of a State;

10 “(F) the firearm or ammunition is being im-
11 ported or brought in for the purpose of exportation;

12 “(G) the firearm or ammunition was previously
13 taken out of the United States or a possession there-
14 of by the person who is bringing in the firearm or
15 ammunition; or

16 “(H) the firearm is a firearm defined as curio
17 or relic by the Attorney General under section
18 921(a)(13) of this title.

19 “(2) Within 30 days after the Attorney General re-
20 ceives an application therefor, the Attorney General shall
21 permit the conditional importation or bringing in of a fire-
22 arm or ammunition for examination and testing in connec-
23 tion with the making of a determination as to whether
24 the importation or bringing in of the firearm or ammuni-
25 tion will be allowed under this subsection.

1 “(3) The Attorney General shall not authorize, under
2 this subsection, the importation of any firearm the impor-
3 tation of which is prohibited by section 922(p).”.

4 **SEC. 1804. PROTECTION OF SHOTGUNS, SHOTGUN SHELLS,**
5 **AND LARGE CALIBER RIFLES FROM ARBI-**
6 **TRARY CLASSIFICATION AS “DESTRUCTIVE**
7 **DEVICES”.**

8 (a) AMENDMENTS TO THE NATIONAL FIREARMS
9 ACT.—Section 5845(f) of the National Firearms Act is
10 amended—

11 (1) in paragraph (2), by striking “recognized as
12 particularly suitable for sporting purposes” and in-
13 serting “recognized as suitable for lawful purposes”;
14 and

15 (2) by striking “use solely for sporting pur-
16 poses” and inserting “use for sporting purposes”.

17 (b) AMENDMENTS TO TITLE 18, UNITED STATES
18 CODE.—Section 921(a)(4) of title 18, United States Code,
19 is amended—

20 (1) in subparagraph (B) of the 1st sentence, by
21 striking “particularly suitable for sporting” and in-
22 serting “suitable for lawful”; and

23 (2) in the 2nd sentence, by striking “solely”.

1 **SEC. 1805. BROADENING OF THE TEMPORARY INTERSTATE**
2 **TRANSFER PROVISION TO ALLOW TEM-**
3 **PORARY TRANSFERS FOR ALL LAWFUL PUR-**
4 **POSES RATHER THAN JUST FOR “SPORTING**
5 **PURPOSES”.**

6 Section 922 of title 18, United States Code, is
7 amended in each of subsections (a)(5)(B), (a)(9), and
8 (b)(3)(B), by striking “sporting”.