

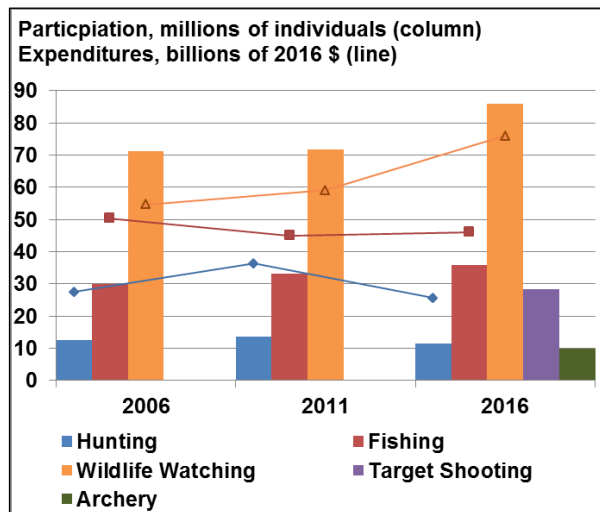


# Hunting, Fishing, and Related Issues in the 115<sup>th</sup> Congress

Sportsmen’s and sportswomen’s issues, including hunting, fishing, recreational shooting, and other wildlife-associated activities, are regular matters of interest for Congress, including in the 115<sup>th</sup> Congress. At issue for Congress is increasing access to federal lands and waters, balancing recreational uses and conservation, and addressing federal land management plans. A review of natural resource provisions within selected sportsmen’s bills in the 115<sup>th</sup> Congress is presented here.

Millions of individuals participate in hunting, fishing, and wildlife-related activities each year in the United States, contributing billions of dollars to the economy. Every five years, the U.S. Fish and Wildlife Service sponsors a national survey to assess fishing, hunting, and wildlife-associated recreation. The most recent survey was for 2016; it added data for two new categories of activities: target shooting and archery (Figure 1).

**Figure 1. 2016 Survey Results: Hunting, Fishing, and Wildlife-Associated Activities**



**Source:** CRS, with data from the U.S. Fish and Wildlife Service, 2016 National Survey of Fishing, Hunting, and Wildlife-Associated Recreation (preliminary findings).

**Notes:** Data reflect number of participating Americans aged 16 and older. Data for target shooting and archery are for 2015.

## Legislative Activity

Multiple sportsmen-related bills have been introduced in the 115<sup>th</sup> Congress, including S. 733 and H.R. 3668, as well as Division B of S. 1460. See Table 1 for a list of issues covered in these bills.

### Senate

S. 733, the Sportsmen’s Act, was reported by the Committee on Energy and Natural Resources on June 22, 2017 (S.Rept. 115-116). S. 733 would require federal land

managed by the U.S. Forest Service (FS) and the Bureau of Land Management (BLM) to be open to hunting, fishing, and recreational shooting unless specifically closed by the respective managing agency for a justifiable reason and following the closure procedures outlined in the bill. This “open unless closed” provision would apply only to land open to these activities as of the date of enactment, but it would prevent future closures unless the required justifications and procedures are met. Additional sections would amend the Federal Land Transaction Facilitation Act (FLTFA; 43 U.S.C. §2301 et seq.) and Pittman-Robertson Wildlife Restoration Act (16 U.S.C. §669 et seq.); authorize the Wildlife and Hunting Heritage Conservation Council Advisory Committee; revise fees for commercial filming on federal lands; and address the transport of bows and the use of volunteers for wildlife management in National Parks.

Division B (Natural Resources) of S. 1460, the Energy and Natural Resources Act of 2017, contains sections similar to those in S. 733, and would also reauthorize the North American Wetland Conservation Act (NAWCA; 16 U.S.C. §4401 et seq.); prohibit regulation of fishing tackle based on lead content; and bar regulation of the lawful possession of a firearm at U.S. Army Corps of Engineers (USACE) water resource development projects.

### House of Representatives

H.R. 3668, the Sportsmen’s Heritage and Recreational Enhancement (SHARE) Act, was reported by the Natural Resources Committee on September 18, 2017 (H.Rept. 115-314).

Like S. 733 and S. 1460, H.R. 3668 would—with some differences in specific actions—require FS and BLM lands to be managed as open unless they are specifically closed; amend FLTFA, Pittman-Robertson, and NAWCA; address commercial filming fees; prohibit regulation of lead in fishing tackle; bar regulation of firearms at USACE water resource development projects; and allow the transport of bows and volunteers in National Parks. In addition, H.R. 3668 would clarify how baiting is defined on agricultural lands for migratory gamebirds; reissue final rules for certain gray wolf populations; permit the importation of legally obtained polar bear trophies into the U.S.; enhance state control over certain fisheries; and modify the regulation of firearms, ammunition, and silencers; among other actions.

### Issues for Congress

Some proponents of sportsmen-related legislation believe that there should be more opportunities for hunting, fishing, and related recreation on federal lands and waters and that it is important to protect access to sportsmen’s recreational opportunities in law. Others argue that these bills appear to disregard the reality that many federal lands are already managed for multiple-use purposes and worry that some

provisions could weaken environmental protections and marginalize science-based management, such as through the prohibition of regulating lead in fishing tackle.

Supporters and opponents of these bills have largely agreed with the general sentiment of balancing federal land management in a way that accommodates recreational activities of all kinds, while also conserving and protecting natural resources. However, they have disagreed on the appropriate legislative approach to achieve this goal.

## Related Administrative Actions

Sportsmen’s issues have also been addressed in administrative actions under President Trump. For example, then-Interior Secretary Ryan Zinke issued Secretarial Order 3356, “Hunting, Fishing, Recreational Shooting, and Wildlife Conservation Opportunities and Coordination with States, Tribes, and Territories,” on September 15, 2017. For more information, see CRS Insight IN10794, *Department of the Interior Secretarial Order 3356*.

**Table I. Issue by Title/Section in H.R. 3668, As Reported, S. 733, As Reported, and S. 1460, As Introduced**

Issue Area	H.R. 3668	S. 733	S. 1460
Declaration of national policy regarding hunting, fishing, and recreational shooting	—	Title I	§8001
Lead in fishing tackle	Title I	—	§8404
Amendments to Pittman-Robertson Wildlife Restoration Act (16 U.S.C. §669 et seq.)	Title II	§401	§8401
Firearms at U.S. Army Corps of Engineers water resources development projects	Title III	—	§8107
Opening, closing, and access to federal lands and waters for hunting, fishing, and recreational shooting	Title IV	Title II	§§8101-8104, 8106
No priority for hunting, fishing, or recreational shooting	§403	§602	§8502
Volunteer hunters in wildlife management	§404	§502	§7136
Clarifying agricultural practices and baiting in migratory game bird hunting	Title V	—	—
Transporting bows across National Park Service lands	Title VI	§501	§7135
Respect for treaties and rights	Title VII	§601	§8501
State approval for fishing restriction within National Park Service or Office of National Marine Sanctuary managed waters	Title VIII	—	—
Amendments to the Equal Access to Justice Act (5 U.S.C. §504; 28 U.S.C. §2412)	Title IX	§205	§8105
Access to federal lands for good Samaritan search and recovery	Title X	—	§6107
Interstate transportation of firearms and ammunition	Title XI	—	—
Importation of polar bear trophies hunted legally in Canada before specified date	Title XII	—	—
Amendments to North American Wetlands Conservation Act (16 U.S.C. §4401 et seq.)	Title XIII	—	§8403
Gray wolves final rule reissuance	Title XIV	—	—
Hearing protection (silencers)	Title XV	—	—
Consideration of ammunition and firearms classification	Title XVI	—	—
Amendments to Federal Land Transaction Facilitation Act (43 U.S.C. §2301 et seq.)	Title XVII	§207	§8201
Commercial filming and photography on federal lands	Title XVIII	Title III	§8301
Respect for state wildlife management authority	Title XIX	§603	§8503
Bison management in the Grand Canyon	Title XX	—	—
Recreation permits for guides and outfitters	Title XXI	—	—
Hunting and fishing within certain National Forests	Title XXII	—	—
Wildlife Hunting and Heritage Conservation Council Advisory Committee authorization	—	§402	§8402

**Source:** CRS, with information from H.R. 3668, S. 733, and S. 1460.

**Note:** Issue area is for categorization purposes only; language may differ between bills.

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