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The Pittman-Robertson Wildlife Restoration Act

The Pittman-Robertson Wildlife Restoration Act (Pittman-Robertson; 16 U.S.C. §§669 et seq.), initially enacted in 1937 as the Federal Aid in Wildlife Restoration Act (50 Stat. 917), provides funding for states and territories to support wildlife restoration, conservation, and hunter education and safety programs. Funding for Pittman-Robertson programs comes from federal excise taxes on firearms, ammunition, and archery equipment. All 50 states and the five major, permanently inhabited U.S. territories receive Pittman-Robertson funds. In general, neither tribes nor the District of Columbia receives funding through Pittman-Robertson programs.

Pittman-Robertson Programs

The U.S. Fish and Wildlife Service (FWS), within the Department of the Interior (DOI), administers Pittman-Robertson. FWS apportions funds to states and territories through three formula-based programs: the Wildlife Restoration Program (Section 4(b)), Basic Hunter Education and Safety Program (Sections 4(c) and 8(b)), and Enhanced Hunter Education and Safety Program (Section 10). FWS also allocates funding for a Multistate Conservation Grant Program (Section 11) and for general program administration (Section 4(a)). To be eligible for Pittman-Robertson funding, the law requires states to have enacted laws ensuring all hunting license fees collected by a state are directed solely toward the administration of the state wildlife agency (16 U.S.C. §669).

The Wildlife Restoration Program provides funds to state fish and wildlife agencies to restore, conserve, manage, and enhance wild birds and mammals and their habitats. States must submit to FWS proposed wildlife-restoration projects or comprehensive fish and wildlife resource management plans to receive funds under this program. Among other purposes, the funds may be used to provide public access to wildlife resources; to acquire, restore, and manage wildlife areas; to conduct research on managing wildlife and its habitat; to facilitate public access for hunting or other wildlife-oriented recreation; and to maintain completed wildlife-restoration projects. Federal funds may be used for up to 75% of costs of implementing projects.

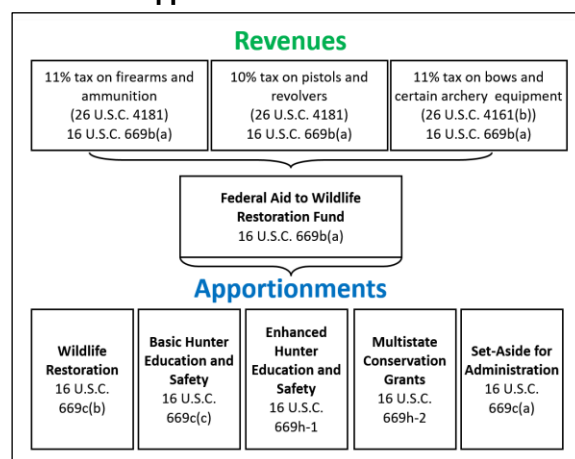
The Basic Hunter Education and Safety Program funds may be used for teaching responsible hunting skills; acquiring property for public firearm and archery ranges; constructing, operating, or maintaining such ranges for public use; and recruiting hunters and recreational shooters. The Enhanced Hunter Education and Safety Program grants may be used to enhance hunter education, development, and safety activities and to construct or maintain public target ranges. The federal cost share for both programs is generally 75%, though the federal cost share for public target range projects may be up to 90%.

The Multistate Conservation Grant Program provides for two types of grants. The first authorizes grants for multistate conservation projects. Such projects must benefit (1) more than half of the 50 states; (2) a majority of the states in an FWS region; or (3) a regional association of state fish and game departments. These grants are available to (1) states; (2) groups of states; or (3) nongovernment organizations (subject to certain conditions). The funds also may be used by FWS, states, or groups of states to carry out the National Survey of Fishing, Hunting, and Wildlife-Associated Recreation. In 2019, Congress authorized a second multistate grant program that provides grants exclusively for promoting a national hunting and shooting sport recruitment program, including related communication and outreach (P.L. 116-94). Hunter and recreational shooter recruitment grants are administered in a similar manner to the traditional Multistate Conservation Grants. Neither grant program includes a matching requirement.

Pittman-Robertson Fund Apportionment

Receipts from excise taxes on firearms, ammunition, and archery equipment are deposited into the *Federal Aid to Wildlife Restoration Fund* (also known as the *Wildlife Restoration Trust Fund*) in the U.S. Treasury. Monies from the fund are made available for FWS in the fiscal year following their collection without any further action by Congress (i.e., these are considered mandatory funds).

Figure 1. Pittman-Robertson Wildlife Restoration Act Revenue and Apportionment Structure



Source: CRS with information from 16 U.S.C. §§669 et seq.

Each fiscal year, FWS allocates half of the amount of funding derived from taxes on pistols, revolvers, and archery equipment (but not other firearms and ammunition) for apportionment pursuant to Section 4(c) for the Basic Hunter Education and Safety Program. FWS also allocates specific amounts of funding for the Enhanced Hunter

Education and Safety Program (\$8 million) and Multistate Conservation Grant Program (\$3 million for traditional grants and \$5 million for hunter and recreational shooter recruitment grants). The amount set aside for program administration in a given year is determined by the amount set aside in the preceding year, adjusted for inflation. The remaining funds from taxes on pistols, revolvers, and archery equipment, as well as funds from taxes on firearms (other than pistols and revolvers) and ammunition, is available for apportionment for the Wildlife Restoration Program (see **Figure 1**).

Funds for three of these programs—Wildlife Restoration, Basic Hunter Education and Safety, and Enhanced Hunter Education and Safety—are disbursed directly to states based on two apportionment formulas: one for Wildlife Restoration and one for both Hunter Education and Safety programs. The formulas take into account a state's acreage, number of hunting licenses sold, and population. Territories are apportioned a set percentage of the funds for each of these programs. As discussed, neither tribes nor the District of Columbia receives funding through these programs. FWS selects projects for Multistate Conservation Grants from a priority list of projects compiled by a committee of the Association of Fish and Wildlife Agencies comprising state fish and game department heads. For more information on apportionment of Pittman-Robertson funding, see CRS Report R45667, *Pittman-Robertson Wildlife Restoration Act: Understanding Apportionments for States and Territories*, by Pervaze A. Sheikh.

Wildlife Restoration and Conservation Account

In 2000, Congress amended Pittman-Robertson to add a subaccount, called the *Wildlife Restoration and Conservation Account*, within the Federal Aid to Wildlife Restoration Fund to provide supplemental funding for wildlife restoration and conservation (P.L. 106-553). In the same law, Congress appropriated \$50 million to the subaccount for FY2001. Congress has not appropriated funding to this subaccount since FY2001.

Funds from the subaccount may be used “for the development, revision, and implementation of wildlife conservation and restoration plans and programs” (16 U.S.C. §669b(c)(1)). A state's wildlife conservation and restoration program must address unmet needs for wildlife habitats, wildlife conservation, wildlife conservation education, and wildlife-associated recreation projects. The act directs that priority for subaccount funds should be given to “species with the greatest conservation need,” as determined by the state program, and specifies that this includes species that are not hunted or fished (16 U.S.C. §669b(c)(3)). Subaccount funds may be used for up to 75% of the cost of developing and implementing the program. Unlike the other programs funded by Pittman-Robertson, the District of Columbia is eligible to receive funding under this account (though tribes are not eligible).

Issues for Congress

Congress is considering whether to modify funding for activities authorized under Pittman-Robertson. For example, H.R. 2773 and S. 2372 in the 117th Congress would amend Pittman-Robertson to provide supplemental

funding for states, territories, tribes, and the District of Columbia to support wildlife restoration, law enforcement activities, and educational programs related to recovering at-risk species. This funding would be *in addition* to existing funds. Both bills would provide mandatory funding to the Wildlife Restoration and Conservation Account from the general fund of the Treasury, with the amounts increasing from \$850 million for the first year to \$1.3 billion by the fourth year and for each year thereafter. Additional mandatory funding for various purposes would be deposited in a new Tribal Wildlife Conservation and Restoration Account and a new Endangered Species Recovery and Habitat Conservation Legacy Fund. In deliberating these bills, Congress is considering whether this funding should be mandatory or discretionary; be offset by existing revenues from certain taxes, royalties, or penalties and fines; or require additional oversight beyond what is directed in existing law.

Proponents of the bills assert that supplemental funding is necessary to meet critical species recovery needs. For example, some stakeholders indicate that state wildlife conservation strategies are underfunded, leaving more than 12,000 species at risk for listing under the Endangered Species Act (ESA; 16 U.S.C. §§1531-1544). Other stakeholders suggest that Congress consider options other than additional funding to address species conservation issues. Specifically, some Members suggest that Congress amend the ESA to incentivize private landowners to help recover endangered or listed species. Others raise concerns on the broader budgetary impacts of the bills.

Congress also may consider how funds under Pittman-Robertson are spent and, specifically, whether to limit funding to conservation-specific activities. Some stakeholders who support such a limit assert that funding authorized for public target ranges or shooter recruitment and outreach is not directly linked to conservation. Other stakeholders counter this viewpoint, asserting that such activities increase the popularity of sport shooting and hunting, which in turn brings additional revenue for wildlife restoration and conservation purposes. In addition, they contend that an increase in hunters means more supporters of conservation efforts due to hunters' inherent interest in maintaining healthy wildlife populations.

Congress may consider whether to adjust federal excise taxes on firearms, ammunition, or archery equipment. Any such alteration would impact the source of funding for Pittman-Robertson programs. Stakeholders in favor of reducing excise taxes contend that such taxes infringe on Second Amendment rights to bear arms. Other stakeholders assert that any reduction or elimination of such taxes could essentially limit or repeal Pittman-Robertson programs. Congress may consider alternative sources of revenue for the program if excise taxes are reduced or eliminated.

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