

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—114th Cong., 1st Sess.

S. 556

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

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by _____

Viz:

1 Strike all after the enacting clause and insert the fol-
2 lowing:

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Sportsmen’s Act of 2015”.

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

Sec. 1. Short title; table of contents.

TITLE I—NATIONAL POLICY

Sec. 101. Congressional declaration of national policy.

TITLE II—SPORTSMEN’S ACCESS TO FEDERAL LAND

Sec. 201. Definitions.

Sec. 202. Federal land open to hunting, fishing, and recreational shooting.

Sec. 203. Closure of Federal land to hunting, fishing, and recreational shooting.

Sec. 204. Shooting ranges.

Sec. 205. Federal action transparency.

TITLE III—FILMING ON FEDERAL LAND MANAGEMENT AGENCY
LAND

Sec. 301. Commercial filming.

TITLE IV—BOWS, WILDLIFE MANAGEMENT, AND ACCESS
OPPORTUNITIES FOR RECREATION, HUNTING, AND FISHING

Sec. 401. Bows in parks.

Sec. 402. Wildlife management in parks.

Sec. 403. Identifying opportunities for recreation, hunting, and fishing on Federal land.

TITLE V—FEDERAL LAND TRANSACTION FACILITATION ACT

Sec. 501. Federal Land Transaction Facilitation Act.

TITLE VI—CONSERVATION REAUTHORIZATION

Sec. 601. National Park Service Maintenance and Revitalization Conservation Fund.

Sec. 602. Land and Water Conservation Fund.

Sec. 603. Historic Preservation Fund.

TITLE VII—MISCELLANEOUS

Sec. 701. Respect for treaties and rights.

Sec. 702. No priority.

1 **TITLE I—NATIONAL POLICY**

2 **SEC. 101. CONGRESSIONAL DECLARATION OF NATIONAL**
3 **POLICY.**

4 (a) IN GENERAL.—Congress declares that it is the
5 policy of the United States that Federal departments and
6 agencies, in accordance with the missions of the depart-
7 ments and agencies, Executive Orders 12962 and 13443
8 (60 Fed. Reg. 30769 (June 7, 1995); 72 Fed. Reg. 46537
9 (August 16, 2007)), and applicable law, shall—

10 (1) facilitate the expansion and enhancement of
11 hunting, fishing, and recreational shooting opportu-
12 nities on Federal land, in consultation with the

1 Wildlife and Hunting Heritage Conservation Coun-
2 cil, the Sport Fishing and Boating Partnership
3 Council, State and tribal fish and wildlife agencies,
4 and the public;

5 (2) conserve and enhance aquatic systems and
6 the management of game species and the habitat of
7 those species on Federal land, including through
8 hunting and fishing, in a manner that respects—

9 (A) State management authority over wild-
10 life resources; and

11 (B) private property rights; and

12 (3) consider hunting, fishing, and recreational
13 shooting opportunities as part of all Federal plans
14 for land, resource, and travel management.

15 (b) EXCLUSION.—In this Act, the term “fishing”
16 does not include commercial fishing in which fish are har-
17 vested, either in whole or in part, that are intended to
18 enter commerce through sale.

19 **TITLE II—SPORTSMEN’S ACCESS** 20 **TO FEDERAL LAND**

21 **SEC. 201. DEFINITIONS.**

22 In this title:

23 (1) FEDERAL LAND.—The term “Federal land”
24 means—

1 (A) any land in the National Forest Sys-
2 tem (as defined in section 11(a) of the Forest
3 and Rangeland Renewable Resources Planning
4 Act of 1974 (16 U.S.C. 1609(a))) that is ad-
5 ministered by the Secretary of Agriculture, act-
6 ing through the Chief of the Forest Service;
7 and

8 (B) public lands (as defined in section 103
9 of the Federal Land Policy and Management
10 Act of 1976 (43 U.S.C. 1702)), the surface of
11 which is administered by the Secretary of the
12 Interior, acting through the Director of the Bu-
13 reau of Land Management.

14 (2) SECRETARY CONCERNED.—The term “Sec-
15 retary concerned” means—

16 (A) the Secretary of Agriculture, with re-
17 spect to land described in paragraph (1)(A);
18 and

19 (B) the Secretary of the Interior, with re-
20 spect to land described in paragraph (1)(B).

21 **SEC. 202. FEDERAL LAND OPEN TO HUNTING, FISHING, AND**
22 **RECREATIONAL SHOOTING.**

23 (a) IN GENERAL.—Subject to subsection (b), Federal
24 land shall be open to hunting, fishing, and recreational
25 shooting, in accordance with applicable law, unless the

1 Secretary concerned closes an area in accordance with sec-
2 tion 203.

3 (b) EFFECT OF TITLE.—Nothing in this title opens
4 to hunting, fishing, or recreational shooting any land that
5 is not open to those activities as of the date of enactment
6 of this Act.

7 **SEC. 203. CLOSURE OF FEDERAL LAND TO HUNTING, FISH-**
8 **ING, AND RECREATIONAL SHOOTING.**

9 (a) AUTHORIZATION.—

10 (1) IN GENERAL.—Subject to paragraph (2)
11 and in accordance with section 302(b) of the Federal
12 Land Policy and Management Act of 1976 (43
13 U.S.C. 1732(b)), the Secretary concerned may des-
14 ignate any area on Federal land in which, and estab-
15 lish any period during which, for reasons of public
16 safety, administration, or compliance with applicable
17 laws, no hunting, fishing, or recreational shooting
18 shall be permitted.

19 (2) REQUIREMENT.—In making a designation
20 under paragraph (1), the Secretary concerned shall
21 designate the smallest area for the least amount of
22 time that is required for public safety, administra-
23 tion, or compliance with applicable laws.

24 (b) CLOSURE PROCEDURES.—

1 (1) IN GENERAL.—Except in an emergency, be-
2 fore permanently or temporarily closing any Federal
3 land to hunting, fishing, or recreational shooting,
4 the Secretary concerned shall—

5 (A) consult with State fish and wildlife
6 agencies; and

7 (B) provide public notice and opportunity
8 for comment under paragraph (2).

9 (2) PUBLIC NOTICE AND COMMENT.—

10 (A) IN GENERAL.—Public notice and com-
11 ment shall include—

12 (i) a notice of intent—

13 (I) published in advance of the
14 public comment period for the clo-
15 sure—

16 (aa) in the Federal Register;

17 (bb) on the website of the
18 applicable Federal agency;

19 (cc) on the website of the
20 Federal land unit, if available;

21 and

22 (dd) in at least 1 local news-
23 paper;

24 (II) made available in advance of
25 the public comment period to local of-

1 fices, chapters, and affiliate organiza-
2 tions in the vicinity of the closure that
3 are signatories to the memorandum of
4 understanding entitled “Federal
5 Lands Hunting, Fishing, and Shoot-
6 ing Sports Roundtable Memorandum
7 of Understanding”; and

8 (III) that describes—

9 (aa) the proposed closure;

10 and

11 (bb) the justification for the
12 proposed closure, including an
13 explanation of the reasons and
14 necessity for the decision to close
15 the area to hunting, fishing, or
16 recreational shooting; and

17 (ii) an opportunity for public comment
18 for a period of—

19 (I) not less than 60 days for a
20 permanent closure; or

21 (II) not less than 30 days for a
22 temporary closure.

23 (B) FINAL DECISION.—In a final decision
24 to permanently or temporarily close an area to

1 hunting, fishing, or recreation shooting, the
2 Secretary concerned shall—

3 (i) respond in a reasoned manner to
4 the comments received;

5 (ii) explain how the Secretary con-
6 cerned resolved any significant issues
7 raised by the comments; and

8 (iii) show how the resolution led to
9 the closure.

10 (c) TEMPORARY CLOSURES.—

11 (1) IN GENERAL.—A temporary closure under
12 this section may not exceed a period of 180 days.

13 (2) RENEWAL.—Except in an emergency, a
14 temporary closure for the same area of land closed
15 to the same activities—

16 (A) may not be renewed more than 3 times
17 after the first temporary closure; and

18 (B) must be subject to a separate notice
19 and comment procedure in accordance with sub-
20 section (b)(2).

21 (3) EFFECT OF TEMPORARY CLOSURE.—Any
22 Federal land that is temporarily closed to hunting,
23 fishing, or recreational shooting under this section
24 shall not become permanently closed to that activity

1 without a separate public notice and opportunity to
2 comment in accordance with subsection (b)(2).

3 (d) REPORTING.—On an annual basis, the Secre-
4 taries concerned shall—

5 (1) publish on a public website a list of all
6 areas of Federal land temporarily or permanently
7 subject to a closure under this section; and

8 (2) submit to the Committee on Energy and
9 Natural Resources and the Committee on Agri-
10 culture, Nutrition, and Forestry of the Senate and
11 the Committee on Natural Resources and the Com-
12 mittee on Agriculture of the House of Representa-
13 tives a report that identifies—

14 (A) a list of each area of Federal land tem-
15 porarily or permanently subject to a closure;

16 (B) the acreage of each closure; and

17 (C) a survey of—

18 (i) the aggregate areas and acreage
19 closed under this section in each State;
20 and

21 (ii) the percentage of Federal land in
22 each State closed under this section with
23 respect to hunting, fishing, and rec-
24 reational shooting.

1 (e) APPLICATION.—This section shall not apply if the
2 closure is—

3 (1) less than 14 days in duration; and

4 (2) covered by a special use permit.

5 **SEC. 204. SHOOTING RANGES.**

6 (a) IN GENERAL.—Except as provided in subsection
7 (b), the Secretary concerned may, in accordance with this
8 section and other applicable law, lease or permit the use
9 of Federal land for a shooting range.

10 (b) EXCEPTION.—The Secretary concerned shall not
11 lease or permit the use of Federal land for a shooting
12 range, within—

13 (1) a component of the National Landscape
14 Conservation System;

15 (2) a component of the National Wilderness
16 Preservation System;

17 (3) any area that is—

18 (A) designated as a wilderness study area;

19 (B) administratively classified as—

20 (i) wilderness-eligible; or

21 (ii) wilderness-suitable; or

22 (C) a primitive or semiprimitive area;

23 (4) a national monument, national volcanic
24 monument, or national scenic area; or

1 (5) a component of the National Wild and Sce-
2 nic Rivers System (including areas designated for
3 study for potential addition to the National Wild
4 and Scenic Rivers System).

5 **SEC. 205. FEDERAL ACTION TRANSPARENCY.**

6 (a) MODIFICATION OF EQUAL ACCESS TO JUSTICE
7 PROVISIONS.—

8 (1) AGENCY PROCEEDINGS.—Section 504 of
9 title 5, United States Code, is amended—

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

12 (B) by redesignating subsection (f) as sub-
13 section (i); and

14 (C) by striking subsection (e) and inserting
15 the following:

16 “(e)(1) Not later than March 31 of the first fiscal
17 year beginning after the date of enactment of the Sports-
18 men’s Act of 2015, and every fiscal year thereafter, the
19 Chairman of the Administrative Conference of the United
20 States, after consultation with the Chief Counsel for Advo-
21 cacy of the Small Business Administration, shall submit
22 to Congress and make publicly available online a report
23 on the amount of fees and other expenses awarded during
24 the preceding fiscal year under this section.

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

6 “(3)(A) Each report under paragraph (1) shall ac-
7 count for all payments of fees and other expenses awarded
8 under this section that are made pursuant to a settlement
9 agreement, regardless of whether the settlement agree-
10 ment is sealed or otherwise subject to a nondisclosure pro-
11 vision.

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

16 “(f) As soon as practicable, and in any event not later
17 than the date on which the first report under subsection
18 (e)(1) is required to be submitted, the Chairman of the
19 Administrative Conference of the United States shall cre-
20 ate and maintain online a searchable database containing,
21 with respect to each award of fees and other expenses
22 under this section made on or after the date of enactment
23 of the Sportsmen’s Act of 2015, the following information:

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

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

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

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

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 a court order.

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

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

1 “(5)(A) Not later than March 31 of the first fiscal
2 year beginning after the date of enactment of the Sports-
3 men’s Act of 2015, and every fiscal year thereafter, the
4 Chairman of the Administrative Conference of the United
5 States shall submit to Congress and make publicly avail-
6 able online a report on the amount of fees and other ex-
7 penses awarded during the preceding fiscal year pursuant
8 to this subsection.

9 “(B) Each report under subparagraph (A) shall de-
10 scribe the number, nature, and amount of the awards, the
11 claims involved in the controversy, and any other relevant
12 information that may aid Congress in evaluating the scope
13 and impact of such awards.

14 “(C)(i) Each report under subparagraph (A) shall ac-
15 count for all payments of fees and other expenses awarded
16 under this subsection that are made pursuant to a settle-
17 ment agreement, regardless of whether the settlement
18 agreement is sealed or otherwise subject to a nondisclosure
19 provision.

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

24 “(D) The Chairman of the Administrative Conference
25 of the United States shall include and clearly identify in

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

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

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

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

10 “(6) As soon as practicable, and in any event not
11 later than the date on which the first report under para-
12 graph (5)(A) is required to be submitted, the Chairman
13 of the Administrative Conference of the United States
14 shall create and maintain online a searchable database
15 containing, with respect to each award of fees and other
16 expenses under this subsection made on or after the date
17 of enactment of the Sportsmen’s Act of 2015, the fol-
18 lowing information:

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

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

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

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

1 “(E) The amount of the award.

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

5 “(7) The online searchable database described in
6 paragraph (6) may not reveal any information the dislo-
7 sure of which is prohibited by law or a court order.

8 “(8) The head of each agency (including the Attorney
9 General of the United States) shall provide to the Chair-
10 man of the Administrative Conference of the United
11 States in a timely manner all information requested by
12 the Chairman to comply with the requirements of para-
13 graphs (5), (6), and (7).”.

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

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

19 (B) in subsection (e)—

20 (i) by striking “of section 2412 of
21 title 28, United States Code,” and insert-
22 ing “of this section”; and

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

1 (b) JUDGMENT FUND TRANSPARENCY.—Section
2 1304 of title 31, United States Code, is amended by add-
3 ing at the end the following:

4 “(d) Beginning not later than the date that is 60
5 days after the date of enactment of the Sportsmen’s Act
6 of 2015, and unless the disclosure of such information is
7 otherwise prohibited by law or a court order, the Secretary
8 of the Treasury shall make available to the public on a
9 website, as soon as practicable, but not later than 30 days
10 after the date on which a payment under this section is
11 tendered, the following information with regard to that
12 payment:

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

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

16 “(3) The name of counsel for the plaintiff or
17 claimant.

18 “(4) The amount paid representing principal li-
19 ability, and any amounts paid representing any an-
20 cillary liability, including attorney fees, costs, and
21 interest.

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

24 “(6) The name of the agency that submitted
25 the claim.”.

1 **TITLE III—FILMING ON FED-**
2 **ERAL LAND MANAGEMENT**
3 **AGENCY LAND**

4 **SEC. 301. COMMERCIAL FILMING.**

5 (a) IN GENERAL.—Section 1 of Public Law 106–206
6 (16 U.S.C. 460l–6d) is amended—

7 (1) by redesignating subsections (a) through (f)
8 as subsections (b) through (g), respectively;

9 (2) by inserting before subsection (b) (as so re-
10 designated) the following:

11 “(a) DEFINITION OF SECRETARY.—The term ‘Sec-
12 retary’ means the Secretary of the Interior or the Sec-
13 retary of Agriculture, as applicable, with respect to land
14 under the respective jurisdiction of the Secretary.”;

15 (3) in subsection (b) (as so redesignated)—

16 (A) in paragraph (1)—

17 (i) in the first sentence, by striking
18 “of the Interior or the Secretary of Agri-
19 culture (hereafter individually referred to
20 as the ‘Secretary’ with respect to land (ex-
21 cept land in a System unit as defined in
22 section 100102 of title 54, United States
23 Code) under their respective jurisdic-
24 tions)”;

1 (ii) in subparagraph (B), by inserting
2 “, except in the case of film crews of 3 or
3 fewer individuals” before the period at the
4 end; and

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

6 “(3) FEE SCHEDULE.—Not later than 180 days
7 after the date of enactment of the Sportsmen’s Act
8 of 2015, to enhance consistency in the management
9 of Federal land, the Secretaries shall publish a sin-
10 gle joint land use fee schedule for commercial film-
11 ing and still photography.”;

12 (4) in subsection (c) (as so redesignated), in the
13 second sentence, by striking “subsection (a)” and in-
14 serting “subsection (b)”;

15 (5) in subsection (d) (as so redesignated), in
16 the heading, by inserting “Commercial” before
17 “Still”;

18 (6) in paragraph (1) of subsection (f) (as so re-
19 designated), by inserting “in accordance with the
20 Federal Lands Recreation Enhancement Act (16
21 U.S.C. 6801 et seq.),” after “without further appro-
22 priation,”;

23 (7) in subsection (g) (as so redesignated)—

24 (A) by striking “The Secretary shall” and
25 inserting the following:

1 “(1) IN GENERAL.—The Secretary”; and

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

3 “(2) CONSIDERATIONS.—The Secretary shall
4 not consider subject matter or content as a criterion
5 for issuing or denying a permit under this Act.”;
6 and

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

8 “(h) EXEMPTION FROM COMMERCIAL FILMING OR
9 STILL PHOTOGRAPHY PERMITS AND FEES.—The Sec-
10 retary shall not require persons holding commercial use
11 authorizations or special recreation permits to obtain an
12 additional permit or pay a fee for commercial filming or
13 still photography under this Act if the filming or photog-
14 raphy conducted is—

15 “(1) incidental to the permitted activity that is
16 the subject of the commercial use authorization or
17 special recreation permit; and

18 “(2) the holder of the commercial use author-
19 ization or special recreation permit is an individual
20 or small business concern (within the meaning of
21 section 3 of the Small Business Act (15 U.S.C.
22 632)).

23 “(i) EXCEPTION FROM CERTAIN FEES.—Commercial
24 filming or commercial still photography shall be exempt

1 from fees under this Act, but not from recovery of costs
2 under subsection (c), if the activity—

3 “(1) is conducted by an entity that is a small
4 business concern (within the meaning of section 3 of
5 the Small Business Act (15 U.S.C. 632));

6 “(2) is conducted by a crew of not more than
7 3 individuals; and

8 “(3) uses only a camera and tripod.

9 “(j) APPLICABILITY TO NEWS GATHERING ACTIVI-
10 TIES.—

11 “(1) IN GENERAL.—News gathering shall not
12 be considered a commercial activity.

13 “(2) INCLUDED ACTIVITIES.—In this sub-
14 section, the term ‘news gathering’ includes, at a
15 minimum, the gathering, recording, and filming of
16 news and information related to news in any me-
17 dium.”.

18 (b) CONFORMING AMENDMENTS.—Chapter 1009 of
19 title 54, United States Code, is amended—

20 (1) by striking section 100905; and

21 (2) in the table of contents, by striking the item
22 relating to section 100905.

1 **TITLE IV—BOWS, WILDLIFE MAN-**
2 **AGEMENT, AND ACCESS OP-**
3 **PORTUNITIES FOR RECRE-**
4 **ATION, HUNTING, AND FISH-**
5 **ING**

6 **SEC. 401. BOWS IN PARKS.**

7 (a) IN GENERAL.—Chapter 1049 of title 54, United
8 States Code, is amended by adding at the end the fol-
9 lowing:

10 **“§ 104908. Bows in parks**

11 “(a) DEFINITION OF NOT READY FOR IMMEDIATE
12 USE.—The term ‘not ready for immediate use’ means—

13 “(1) a bow or crossbow, the arrows of which are
14 secured or stowed in a quiver or other arrow trans-
15 port case; and

16 “(2) with respect to a crossbow, uncocked.

17 “(b) VEHICULAR TRANSPORTATION AUTHORIZED.—

18 The Director shall not promulgate or enforce any regula-
19 tion that prohibits an individual from transporting bows
20 and crossbows that are not ready for immediate use across
21 any System unit in the vehicle of the individual if—

22 “(1) the individual is not otherwise prohibited
23 by law from possessing the bows and crossbows;

24 “(2) the bows or crossbows that are not ready
25 for immediate use remain inside the vehicle of the

1 individual throughout the period during which the
2 bows or crossbows are transported across System
3 land; and

4 “(3) the possession of the bows and crossbows
5 is in compliance with the law of the State in which
6 the System unit is located.”.

7 (b) CLERICAL AMENDMENT.—The table of sections
8 for chapter 1049 of title 54, United States Code, is
9 amended by inserting after the item relating to section
10 104907 the following:

“104908. Bows in parks.”.

11 **SEC. 402. WILDLIFE MANAGEMENT IN PARKS.**

12 (a) IN GENERAL.—Chapter 1049 of title 54, United
13 States Code (as amended by section 401(a)), is amended
14 by adding at the end the following:

15 **“SEC. 104909. WILDLIFE MANAGEMENT IN PARKS.**

16 “(a) USE OF QUALIFIED VOLUNTEERS.—If the Sec-
17 retary determines it is necessary to reduce the size of a
18 wildlife population on System land in accordance with ap-
19 plicable law (including regulations), the Secretary may use
20 qualified volunteers to assist in carrying out wildlife man-
21 agement on System land.

22 “(b) REQUIREMENTS FOR QUALIFIED VOLUN-
23 TEERS.—Qualified volunteers providing assistance under
24 subsection (a) shall be subject to—

1 “(1) any training requirements or qualifications
2 established by the Secretary; and

3 “(2) any other terms and conditions that the
4 Secretary may require.”.

5 (b) CLERICAL AMENDMENT.—The table of sections
6 for chapter 1049 of title 54 (as amended by section
7 401(b)), United States Code, is amended by inserting
8 after the item relating to section 104907 the following:
 “104909 . Wildlife management in parks. ”.

9 **SEC. 403. IDENTIFYING OPPORTUNITIES FOR RECREATION,**
10 **HUNTING, AND FISHING ON FEDERAL LAND.**

11 (a) DEFINITIONS.—In this section:

12 (1) SECRETARY.—The term “Secretary”
13 means—

14 (A) the Secretary of the Interior, with re-
15 spect to land administered by—

16 (i) the Director of the National Park
17 Service;

18 (ii) the Director of the United States
19 Fish and Wildlife Service; and

20 (iii) the Director of the Bureau of
21 Land Management; and

22 (B) the Secretary of Agriculture, with re-
23 spect to land administered by the Chief of the
24 Forest Service.

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

3 (A) a State office of the Bureau of Land
4 Management; or

5 (B) a regional office of—

6 (i) the National Park Service;

7 (ii) the United States Fish and Wild-
8 life Service; or

9 (iii) the Forest Service.

10 (3) TRAVEL MANAGEMENT PLAN.—The term
11 “travel management plan” means a plan for the
12 management of travel—

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

18 (B) with respect to land under the jurisdic-
19 tion of the United States Fish and Wildlife
20 Service, on the land under a comprehensive con-
21 servation plan prepared under section 4(e) of
22 the National Wildlife Refuge System Adminis-
23 tration Act of 1966 (16 U.S.C. 668dd(e));

24 (C) with respect to land under the jurisdic-
25 tion of the Forest Service, on National Forest

1 System land under part 212 of title 36, Code
2 of Federal Regulations (or successor regula-
3 tions); and

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

9 (b) PRIORITY LISTS REQUIRED.—

10 (1) IN GENERAL.—Not later than 180 days
11 after the date of enactment of this Act, annually
12 during the 10-year period beginning on the date on
13 which the first priority list is completed, and every
14 5 years after the end of the 10-year period, the Sec-
15 retary shall prepare a priority list, to be made pub-
16 licly available on the website of the applicable Fed-
17 eral agency referred to in subsection (a)(1), which
18 shall identify the location and acreage of land within
19 the jurisdiction of each State or regional office on
20 which the public is allowed, under Federal or State
21 law, to hunt, fish, or use the land for other rec-
22 reational purposes but—

23 (A) to which there is no public access or
24 egress; or

1 (B) to which public access or egress to the
2 legal boundaries of the land is significantly re-
3 stricted (as determined by the Secretary).

4 (2) MINIMUM SIZE.—Any land identified under
5 paragraph (1) shall consist of contiguous acreage of
6 at least 640 acres.

7 (3) CONSIDERATIONS.—In preparing the pri-
8 ority list required under paragraph (1), the Sec-
9 retary shall consider with respect to the land—

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

12 (B) the likelihood of resolving the absence
13 of or restriction to public access;

14 (C) the potential for recreational use;

15 (D) any information received from the
16 public or other stakeholders during the nomina-
17 tion process described in paragraph (5); and

18 (E) any other factor as determined by the
19 Secretary.

20 (4) ADJACENT LAND STATUS.—For each parcel
21 of land on the priority list, the Secretary shall in-
22 clude in the priority list whether resolving the issue
23 of public access or egress to the land would require
24 acquisition of an easement, right-of-way, or fee title
25 from—

1 (A) another Federal agency;

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

3 (C) a private landowner.

4 (5) NOMINATION PROCESS.—In preparing a pri-
5 ority list under this section, the Secretary shall pro-
6 vide an opportunity for members of the public to
7 nominate parcels for inclusion on the priority list.

8 (c) ACCESS OPTIONS.—With respect to land included
9 on a priority list described in subsection (b), the Secretary
10 shall develop and submit to the Committees on Appropria-
11 tions and Energy and Natural Resources of the Senate
12 and the Committees on Appropriations and Natural Re-
13 sources of the House of Representatives a report on op-
14 tions for providing access that—

15 (1) identifies how public access and egress
16 could reasonably be provided to the legal boundaries
17 of the land in a manner that minimizes the impact
18 on wildlife habitat and water quality;

19 (2) specifies the steps recommended to secure
20 the access and egress, including acquiring an ease-
21 ment, right-of-way, or fee title from a willing owner
22 of any land that abuts the land or the need to co-
23 ordinate with State land management agencies or
24 other Federal, State, or tribal governments to allow
25 for such access and egress; and

1 (3) is consistent with the travel management
2 plan in effect on the land.

3 (d) PROTECTION OF PERSONALLY IDENTIFYING IN-
4 FORMATION.—In making the priority list and report pre-
5 pared under subsections (b) and (c) available, the Sec-
6 retary shall ensure that no personally identifying informa-
7 tion is included, such as names or addresses of individuals
8 or entities.

9 (e) WILLING OWNERS.—For purposes of providing
10 any permits to, or entering into agreements with, a State,
11 local, or tribal government or private landowner with re-
12 spect to the use of land under the jurisdiction of the gov-
13 ernment or landowner, the Secretary shall not take into
14 account whether the State, local, or tribal government or
15 private landowner has granted or denied public access or
16 egress to the land.

17 (f) MEANS OF PUBLIC ACCESS AND EGRESS IN-
18 CLUDED.—In considering public access and egress under
19 subsections (b) and (c), the Secretary shall consider public
20 access and egress to the legal boundaries of the land de-
21 scribed in those subsections, including access and egress—

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

23 (2) on foot or horseback.

24 (g) EFFECT.—

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

5 (2) EFFECT OF ALLOWABLE USES ON AGENCY
6 CONSIDERATION.—In preparing the priority list
7 under subsection (b), the Secretary shall only con-
8 sider recreational uses that are allowed on the land
9 at the time that the priority list is prepared.

10 **TITLE V—FEDERAL LAND**
11 **TRANSACTION FACILITATION**
12 **ACT**

13 **SEC. 501. FEDERAL LAND TRANSACTION FACILITATION**
14 **ACT.**

15 (a) IN GENERAL.—The Federal Land Transaction
16 Facilitation Act is amended—

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

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

21 (A) in subsection (a), by striking “(as in
22 effect on the date of enactment of this Act)”;
23 and

24 (B) by striking subsection (d);

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

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

4 (A) in paragraph (1)—

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

7 (ii) by striking “; or” and inserting a
8 semicolon;

9 (B) in paragraph (2)—

10 (i) by inserting “Public Law 105–
11 263;” before “112 Stat.”; and

12 (ii) by striking the period at the end
13 and inserting a semicolon; and

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

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

18 “(4) the Lincoln County Conservation, Recre-
19 ation, and Development Act of 2004 (Public Law
20 108–424; 118 Stat. 2403);

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

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

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

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

10 (b) FUNDS TO TREASURY.—Of the amounts depos-
 11 ited in the Federal Land Disposal Account, there shall be
 12 transferred to the general fund of the Treasury
 13 \$1,000,000 for each of fiscal years 2016 through 2025.

14 **TITLE VI—CONSERVATION** 15 **REAUTHORIZATION**

16 **SEC. 601. NATIONAL PARK SERVICE MAINTENANCE AND**
 17 **REVITALIZATION CONSERVATION FUND.**

18 (a) IN GENERAL.—Chapter 1049 of title 54, United
 19 States Code (as amended by section 402(a)), is amended
 20 by adding at the end the following:

21 **“§ 104910. National Park Service Maintenance and**
 22 **Revitalization Conservation Fund**

23 “(a) IN GENERAL.—There is established in the
 24 Treasury a fund, to be known as the ‘National Park Serv-

1 ice Critical Maintenance and Revitalization Conservation
2 Fund’ (referred to in this section as the ‘Fund’).

3 “(b) DEPOSITS TO FUND.—Notwithstanding any
4 provision of law providing that the proceeds shall be cred-
5 ited to miscellaneous receipts of the Treasury, for each
6 fiscal year, there shall be deposited in the Fund, from rev-
7 enues due and payable to the United States under section
8 9 of the Outer Continental Shelf Lands Act (43 U.S.C.
9 1338) \$150,000,000.

10 “(c) USE AND AVAILABILITY.—

11 “(1) IN GENERAL.—Amounts deposited in the
12 Fund shall—

13 “(A) be used only for the purposes de-
14 scribed in subsection (d); and

15 “(B) be available for expenditure only after
16 the amounts are appropriated for those pur-
17 poses.

18 “(2) AVAILABILITY.—Any amounts in the Fund
19 not appropriated shall remain available in the Fund
20 until appropriated.

21 “(3) NO LIMITATION.—Appropriations from the
22 Fund pursuant to this section may be made without
23 fiscal year limitation.

24 “(d) NATIONAL PARK SYSTEM CRITICAL DEFERRED
25 MAINTENANCE.—The Secretary shall use amounts appro-

1 priated from the Fund for high-priority deferred mainte-
2 nance needs of the Service that support critical infrastruc-
3 ture and visitor services.

4 “(e) LAND ACQUISITION PROHIBITION.—Amounts in
5 the Fund shall not be used for land acquisition.”.

6 (b) CLERICAL AMENDMENT.—The table of sections
7 for chapter 1049 of title 54, United States Code (as
8 amended by section 402(b)), is amended by inserting after
9 the item relating to section 104907 the following:

“104910. National Park Service Maintenance and Revitalization Conservation
Fund.”.

10 **SEC. 602. LAND AND WATER CONSERVATION FUND.**

11 (a) REAUTHORIZATION.—Section 200302 of title 54,
12 United States Code, is amended—

13 (1) in subsection (b), in the matter preceding
14 paragraph (1), by striking “During the period end-
15 ing September 30, 2015, there” and inserting
16 “There”; and

17 (2) in subsection (c)(1), by striking “through
18 September 30, 2015”.

19 (b) ALLOCATION OF FUNDS.—Section 200304 of title
20 54, United States Code, is amended—

21 (1) by striking “There” and inserting “(a) IN
22 GENERAL.—There”; and

23 (2) by striking the second sentence and insert-
24 ing the following:

1 “(b) ALLOCATION.—Of the appropriations from the
2 Fund—

3 “(1) not less than 40 percent shall be used col-
4 lectively for Federal purposes under section 200306;

5 “(2) not less than 40 percent shall be used col-
6 lectively—

7 “(A) to provide financial assistance to
8 States under section 200305;

9 “(B) for the Forest Legacy Program es-
10 tablished under section 7 of the Cooperative
11 Forestry Assistance Act of 1978 (16 U.S.C.
12 2103c);

13 “(C) for cooperative endangered species
14 grants authorized under section 6 of the En-
15 dangered Species Act of 1973 (16 U.S.C.
16 1535); and

17 “(D) for the American Battlefield Protec-
18 tion Program established under chapter 3081;
19 and

20 “(3) not less than 1.5 percent or \$10,000,000,
21 whichever is greater, shall be used for projects that
22 secure recreational public access to Federal public
23 land for hunting, fishing, or other recreational pur-
24 poses.”.

1 (c) CONSERVATION EASEMENTS.—Section 200306 of
2 title 54, United States Code, is amended by adding at the
3 end the following:

4 “(c) CONSERVATION EASEMENTS.—The Secretary
5 and the Secretary of Agriculture shall consider the acqui-
6 sition of conservation easements and other similar inter-
7 ests in land where appropriate and feasible.”.

8 (d) ACQUISITION CONSIDERATIONS.—Section
9 200306 of title 54, United States Code (as amended by
10 subsection (c)), is amended by adding at the end of the
11 following:

12 “(d) ACQUISITION CONSIDERATIONS.—The Secretary
13 and the Secretary of Agriculture shall take into account
14 the following in determining the land or interests in land
15 to acquire:

16 “(1) Management efficiencies.

17 “(2) Management cost savings.

18 “(3) Geographic distribution.

19 “(4) Significance of the acquisition.

20 “(5) Urgency of the acquisition.

21 “(6) Threats to the integrity of the land to be
22 acquired.

23 “(7) The recreational value of the land.”.

1 **SEC. 603. HISTORIC PRESERVATION FUND.**

2 Section 303102 of title 54, United States Code, is
3 amended by striking “of fiscal years 2012 to 2015” and
4 inserting “fiscal year”.

5 **TITLE VII—MISCELLANEOUS**

6 **SEC. 701. RESPECT FOR TREATIES AND RIGHTS.**

7 Nothing in this Act or the amendments made by this
8 Act—

9 (1) affects or modifies any treaty or other right
10 of any federally recognized Indian tribe; or

11 (2) modifies any provision of Federal law relat-
12 ing to migratory birds or to endangered or threat-
13 ened species.

14 **SEC. 702. NO PRIORITY.**

15 Nothing in this Act or the amendments made by this
16 Act provides a preference to hunting, fishing, or rec-
17 reational shooting over any other use of Federal land or
18 water.