

5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BROUN OF GEORGIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

#8 r2

AMENDMENT TO H.R. 3590
OFFERED BY MR. BROUN OF GEORGIA

Page 37, strike line 1 through page 45, line 24, and insert the following (conform the table of contents accordingly):

1 **SEC. 804. HUNTING ON FEDERAL PUBLIC LAND.**

2 (a) **PURPOSE.**—The purpose of this section is to re-
3 quire that hunting activities be a land use in all manage-
4 ment plans for Federal public land to the extent that such
5 use is not clearly incompatible with the purposes for which
6 the Federal public land is managed.

7 (b) **HUNTING ALLOWED UNLESS INCOMPATIBLE.**—
8 When developing or considering approval of a manage-
9 ment plan (or any amendment to such a management
10 plan) for Federal public land, the head of the agency with
11 jurisdiction over such Federal public land shall ensure that
12 hunting activities are allowed as a use of such Federal
13 public land to the extent that such use is not clearly in-
14 compatible with the purposes for which the Federal public
15 land is managed.

16 (c) **PROHIBITING OR RESTRICTING HUNTING.**—

17 (1) **REASONS SET FORTH IN MANAGEMENT**
18 **PLAN.**—If hunting activities are not allowed or are

1 restricted on Federal public land, the head of the
2 agency with jurisdiction over such Federal public
3 land shall set forth in the management plan for that
4 Federal public land the specific reason that hunting
5 activities are not allowed or are restricted.

6 (2) RESTRICTION CLARIFIED.—For the pur-
7 poses of this subsection—

8 (A) allowing contract or quota thinning of
9 wildlife shall not constitute allowing unre-
10 stricted hunting; and

11 (B) a fee charged by any entity related to
12 hunting activities on Federal public land that is
13 in excess of that needed to recoup costs of man-
14 agement of the Federal public land shall be
15 deemed to be a restriction on hunting.

16 (d) SHOOTING RANGES.—

17 (1) IN GENERAL.—The head of each Federal
18 agency shall use his or her authorities in a manner
19 consistent with this title and other applicable law,
20 to—

21 (A) lease or permit use of lands under the
22 jurisdiction of the agency for shooting ranges;
23 and

1 (B) designate specific lands under the ju-
2 risdiction of the agency for recreational shoot-
3 ing activities.

4 (2) LIMITATION ON LIABILITY.—Any designa-
5 tion under paragraph (1)(B) shall not subject the
6 United States to any civil action or claim for mone-
7 tary damages for injury or loss of property or per-
8 sonal injury or death caused by any activity occur-
9 ring at or on such designated lands.

10 (e) AUTHORITY OF THE STATES.—Nothing in this
11 title shall be construed as interfering with, diminishing,
12 or conflicting with the authority, jurisdiction, or responsi-
13 bility of any State to exercise primary management, con-
14 trol, or regulation of fish and wildlife under State law (in-
15 cluding regulations) on land or water within the State, in-
16 cluding on Federal public land.

17 (f) FEES.—Fees charged related to hunting activities
18 on Federal public land shall be—

19 (1) retained by the head of the agency with ju-
20 risdiction over such Federal public land to offset
21 costs directly related to management of hunting on
22 the Federal public land upon which hunting activi-
23 ties related to the fee are conducted; and

24 (2) limited to what the Secretary reasonably es-
25 timates to be necessary to offset costs directly re-

1 lated to management of hunting on the Federal pub-
2 lic land upon which hunting activities related to the
3 fee are conducted.

4 (g) DEFINITIONS.—In this section—

5 (1) the term “Federal public land” means any
6 land or water that is owned and managed by the
7 Bureau of Land Management or the Forest Service;

8 (2) the term “hunting” means hunting, trap-
9 ping, netting, and fishing; and

10 (3) the term “management plan” means a man-
11 agement plan, management contract, or other com-
12 prehensive plan or agreement for the management or
13 use of Federal public land.

14 (h) APPLICABILITY.—This section shall apply to all
15 management plans developed, approved, or amended after
16 the date of the enactment of this section.