

114TH CONGRESS
1ST SESSION

S. 556

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

IN THE SENATE OF THE UNITED STATES

FEBRUARY 25, 2015

Ms. MURKOWSKI introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To protect and enhance opportunities for recreational hunting, fishing, and shooting, 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; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Bipartisan 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—REGULATORY REFORMS

Sec. 101. Recreational fishing, hunting, and recreational shooting on Federal public land.

Sec. 102. Annual permit and fee for film crews of 5 persons or fewer.

Sec. 103. Federal action transparency.
 Sec. 104. Bows in the Parks.

TITLE II—HABITAT CONSERVATION

Sec. 201. Availability of Land and Water Conservation Fund for recreational public access projects.
 Sec. 202. Identifying opportunities for recreation, hunting, and fishing on Federal land.
 Sec. 203. Federal Land Transaction Facilitation Act.

1 **TITLE I—REGULATORY** 2 **REFORMS**

3 **SEC. 101. RECREATIONAL FISHING, HUNTING, AND REC-** 4 **REATIONAL SHOOTING ON FEDERAL PUBLIC** 5 **LAND.**

6 (a) **DEFINITIONS.**—In this section:

7 (1) **FEDERAL PUBLIC LAND.**—

8 (A) **IN GENERAL.**—The term “Federal
 9 public land” means any land or water that is—

10 (i) owned by the United States; and

11 (ii) managed by a Federal agency (in-
 12 cluding the Department of the Interior and
 13 the Forest Service) for purposes that in-
 14 clude the conservation of natural resources.

15 (B) **EXCLUSIONS.**—The term “Federal
 16 public land” does not include—

17 (i) land or water held or managed in
 18 trust for the benefit of Indian tribes or in-
 19 dividual Indians;

20 (ii) land or water managed by the Di-
 21 rector of the National Park Service or the

1 Director of the United States Fish and
2 Wildlife Service;

3 (iii) fish hatcheries; or

4 (iv) conservation easements on private
5 land.

6 (2) HUNTING.—

7 (A) IN GENERAL.—The term “hunting”
8 means use of a firearm, bow, or other author-
9 ized means in the lawful—

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

12 (ii) attempt to pursue, shoot, capture,
13 collect, trap, or kill wildlife.

14 (B) EXCLUSION.—The term “hunting”
15 does not include the use of skilled volunteers to
16 cull excess animals (as defined by Federal law
17 (including regulations)).

18 (3) RECREATIONAL FISHING.—The term “rec-
19 reational fishing” means—

20 (A) an activity for sport or pleasure that
21 involves the lawful—

22 (i) catching, taking, or harvesting of
23 fish; or

24 (ii) attempted catching, taking, or
25 harvesting of fish; or

1 (B) any other activity for sport or pleasure
 2 that can reasonably be expected to result in the
 3 lawful catching, taking, or harvesting of fish.

4 (4) RECREATIONAL SHOOTING.—The term
 5 “recreational shooting” means any form of sport,
 6 training, competition, or pastime, whether formal or
 7 informal, that involves—

8 (A) the discharge of a rifle, handgun, or
 9 shotgun; or

10 (B) the use of a bow and arrow.

11 (b) RECREATIONAL FISHING, HUNTING, AND REC-
 12 REATIONAL SHOOTING.—

13 (1) IN GENERAL.—Subject to valid existing
 14 rights, and in cooperation with the respective State
 15 fish and wildlife agency, a Federal public land man-
 16 agement official shall exercise the authority of the
 17 official under existing law (including provisions re-
 18 garding land use planning) to facilitate use of and
 19 access to Federal public land for recreational fish-
 20 ing, hunting, and recreational shooting except as
 21 limited by—

22 (A) any Federal law (including regula-
 23 tions) that authorizes action or withholding ac-
 24 tion for reasons of national security, public
 25 safety, or resource conservation;

1 (B) any other Federal law (including regu-
2 lations) that precludes recreational fishing,
3 hunting, or recreational shooting on specific
4 Federal public land units of Federal public
5 land, or water; or

6 (C) discretionary limitations on rec-
7 reational fishing, hunting, and recreational
8 shooting determined to be necessary and rea-
9 sonable, as supported by the best scientific evi-
10 dence and advanced through a transparent pub-
11 lic process.

12 (2) MANAGEMENT.—Consistent with paragraph
13 (1), the head of each Federal public land manage-
14 ment agency shall exercise the land management dis-
15 cretion of the head—

16 (A) in a manner that supports and facili-
17 tates recreational fishing, hunting, and rec-
18 reational shooting opportunities;

19 (B) to the extent authorized under applica-
20 ble State law; and

21 (C) in accordance with applicable Federal
22 law.

23 (3) PLANNING.—

24 (A) EFFECTS OF PLANS AND ACTIVI-
25 TIES.—

1 (i) EVALUATION OF EFFECTS ON OP-
2 PORTUNITIES TO ENGAGE IN REC-
3 REATIONAL FISHING, HUNTING, OR REC-
4 REATIONAL SHOOTING.—Federal public
5 land planning documents (including land
6 resources management plans, resource
7 management plans, travel management
8 plans, and energy development plans) shall
9 include a specific evaluation of the effects
10 of the plans on opportunities to engage in
11 recreational fishing, hunting, or rec-
12 reational shooting.

13 (ii) OTHER ACTIVITY NOT CONSID-
14 ERED.—

15 (I) IN GENERAL.—Federal public
16 land management officials shall not be
17 required to consider the existence or
18 availability of recreational fishing,
19 hunting, or recreational shooting op-
20 portunities on private or public land
21 that is located adjacent to, or in the
22 vicinity of, Federal public land for
23 purposes of—

24 (aa) planning for or deter-
25 mining which units of Federal

1 public land are open for rec-
2 reational fishing, hunting, or rec-
3 reational shooting; or

4 (bb) setting the levels of use
5 for recreational fishing, hunting,
6 or recreational shooting on Fed-
7 eral public land.

8 (II) ENHANCED OPPORTUNI-
9 TIES.—Federal public land manage-
10 ment officials may consider the oppor-
11 tunities described in subclause (I) if
12 the combination of those opportunities
13 would enhance the recreational fish-
14 ing, hunting, or shooting opportunities
15 available to the public.

16 (B) USE OF VOLUNTEERS.—If hunting is
17 prohibited by law, all Federal public land plan-
18 ning documents described in subparagraph
19 (A)(i) of an agency shall, after appropriate co-
20 ordination with State fish and wildlife agencies,
21 allow the participation of skilled volunteers in
22 the culling and other management of wildlife
23 populations on Federal public land unless the
24 head of the agency demonstrates, based on the
25 best scientific data available or applicable Fed-

1 eral law, why skilled volunteers should not be
2 used to control overpopulation of wildlife on the
3 land that is the subject of the planning docu-
4 ment.

5 (4) BUREAU OF LAND MANAGEMENT AND FOR-
6 EST SERVICE LAND.—

7 (A) LAND OPEN.—

8 (i) IN GENERAL.—Land under the ju-
9 risdiction of the Bureau of Land Manage-
10 ment or the Forest Service (including a
11 component of the National Wilderness
12 Preservation System, land designated as a
13 wilderness study area or administratively
14 classified as wilderness eligible or suitable,
15 and primitive or semiprimitive areas, but
16 excluding land on the outer Continental
17 Shelf) shall be open to recreational fishing,
18 hunting, and recreational shooting unless
19 the managing Federal public land agency
20 acts to close the land to the activity.

21 (ii) MOTORIZED ACCESS.—Nothing in
22 this subparagraph authorizes or requires
23 motorized access or the use of motorized
24 vehicles for recreational fishing, hunting,
25 or recreational shooting purposes within

1 land designated as a wilderness study area
2 or administratively classified as wilderness
3 eligible or suitable.

4 (B) CLOSURE OR RESTRICTION.—Land de-
5 scribed in subparagraph (A)(i) may be subject
6 to closures or restrictions if determined by the
7 head of the agency to be necessary and reason-
8 able and supported by facts and evidence for
9 purposes including resource conservation, public
10 safety, energy or mineral production, energy
11 generation or transmission infrastructure, water
12 supply facilities, protection of other permittees,
13 protection of private property rights or inter-
14 ests, national security, or compliance with other
15 law, as determined appropriate by the Director
16 of the Bureau of Land Management or the
17 Chief of the Forest Service, as applicable.

18 (C) SHOOTING RANGES.—

19 (i) IN GENERAL.—Except as provided
20 in clause (iii), the head of each Federal
21 public land agency may use the authorities
22 of the head, in a manner consistent with
23 this section and other applicable law—

1 (I) to lease or permit use of land
2 under the jurisdiction of the head for
3 shooting ranges; and

4 (II) to designate specific land
5 under the jurisdiction of the head for
6 recreational shooting activities.

7 (ii) LIMITATION ON LIABILITY.—Any
8 designation under clause (i)(II) shall not
9 subject the United States to any civil ac-
10 tion or claim for monetary damages for in-
11 jury or loss of property or personal injury
12 or death caused by any recreational shoot-
13 ing activity occurring at or on the des-
14 ignated land.

15 (iii) EXCEPTION.—The head of each
16 Federal public land agency shall not lease
17 or permit use of Federal public land for
18 shooting ranges or designate land for rec-
19 reational shooting activities within a com-
20 ponent of the National Wilderness Preser-
21 vation System, land designated as a wilder-
22 ness study area or administratively classi-
23 fied as wilderness eligible or suitable, and
24 primitive or semiprimitive areas.

1 (5) REPORT.—Not later than October 1 of
2 every other year, beginning with the second October
3 1 after the date of enactment of this Act, the head
4 of each Federal public land agency who has author-
5 ity to manage Federal public land on which rec-
6 reational fishing, hunting, or recreational shooting
7 occurs shall submit to the Committee on Natural
8 Resources of the House of Representatives and the
9 Committee on Energy and Natural Resources of the
10 Senate a report that describes—

11 (A) any Federal public land administered
12 by the agency head that was closed to rec-
13 reational fishing, hunting, or recreational shoot-
14 ing at any time during the preceding year; and

15 (B) the reason for the closure.

16 (6) CLOSURES OR SIGNIFICANT RESTRICTIONS
17 OF 1,280 OR MORE ACRES.—

18 (A) IN GENERAL.—Other than closures es-
19 tablished or prescribed by land planning actions
20 referred to in paragraph (4)(B) or emergency
21 closures described in subparagraph (C), a per-
22 manent or temporary withdrawal, change of
23 classification, or change of management status
24 of Federal public land or water that effectively
25 closes or significantly restricts 1,280 or more

1 contiguous acres of Federal public land or
2 water to access or use for recreational fishing
3 or hunting or activities relating to fishing or
4 hunting shall take effect only if, before the date
5 of withdrawal or change, the head of the Fed-
6 eral public land agency that has jurisdiction
7 over the Federal public land or water—

8 (i) publishes appropriate notice of the
9 withdrawal or change, respectively;

10 (ii) demonstrates that coordination
11 has occurred with a State fish and wildlife
12 agency; and

13 (iii) submits to the Committee on
14 Natural Resources of the House of Rep-
15 resentatives and the Committee on Energy
16 and Natural Resources of the Senate writ-
17 ten notice of the withdrawal or change, re-
18 spectively.

19 (B) AGGREGATE OR CUMULATIVE EF-
20 FECTS.—If the aggregate or cumulative effect
21 of separate withdrawals or changes effectively
22 closes or significantly restricts or affects 1,280
23 or more acres of land or water, the withdrawals
24 and changes shall be treated as a single with-

1 drawal or change for purposes of subparagraph
2 (A).

3 (C) EMERGENCY CLOSURES.—

4 (i) IN GENERAL.—Nothing in this sec-
5 tion prohibits a Federal public land man-
6 agement agency from establishing or im-
7 plementing emergency closures or restric-
8 tions of the smallest practicable area of
9 Federal public land to provide for public
10 safety, resource conservation, national se-
11 curity, or other purposes authorized by
12 law.

13 (ii) TERMINATION.—An emergency
14 closure under clause (i) shall terminate
15 after a reasonable period of time unless the
16 temporary closure is converted to a perma-
17 nent closure consistent with this section.

18 (7) NO PRIORITY.—Nothing in this section re-
19 quires a Federal agency to give preference to rec-
20 reational fishing, hunting, or recreational shooting
21 over other uses of Federal public land or over land
22 or water management priorities established by other
23 Federal law.

24 (8) CONSULTATION WITH COUNCILS.—In car-
25 rying out this section, the heads of Federal public

1 land agencies shall consult with the appropriate ad-
2 visory councils established under Executive Order
3 12962 (16 U.S.C. 1801 note; relating to recreational
4 fisheries) and Executive Order 13443 (16 U.S.C.
5 661 note; relating to facilitation of hunting heritage
6 and wildlife conservation).

7 (9) AUTHORITY OF STATES.—

8 (A) IN GENERAL.—Nothing in this section
9 interferes with, diminishes, or conflicts with the
10 authority, jurisdiction, or responsibility of any
11 State to manage, control, or regulate fish and
12 wildlife under State law (including regulations)
13 on land or water within the State, including on
14 Federal public land.

15 (B) FEDERAL LICENSES.—

16 (i) IN GENERAL.—Except as provided
17 in clause (ii), nothing in this subsection
18 authorizes the head of a Federal public
19 land agency head to require a license, fee,
20 or permit to fish, hunt, or trap on land or
21 water in a State, including on Federal pub-
22 lic land in the State.

23 (ii) MIGRATORY BIRD STAMPS.—Noth-
24 ing in this subparagraph affects any mi-
25 gratory bird stamp requirement of the Mi-

1 gratory Bird Hunting and Conservation
 2 Stamp Act (16 U.S.C. 718a et seq.).

3 **SEC. 102. ANNUAL PERMIT AND FEE FOR FILM CREWS OF**
 4 **5 PERSONS OR FEWER.**

5 (a) PURPOSE.—The purpose of this section is to pro-
 6 vide commercial film crews of 5 persons or fewer access
 7 to film in areas designated for public use during public
 8 hours on Federal land and waterways.

9 (b) NATIONAL PARK SYSTEM LAND.—Section
 10 100905 of title 54, United States Code, is amended—

11 (1) in subsection (a)—

12 (A) in paragraph (1), by striking “The
 13 Secretary” and inserting “Except as provided
 14 in paragraph (3), the Secretary”; and

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

16 “(3) SPECIAL RULES FOR FILM CREWS OF 5
 17 PERSONS OR FEWER.—

18 “(A) DEFINITION OF FILM CREW.—In this
 19 paragraph, the term ‘film crew’ means any per-
 20 sons present on Federal land or waterways
 21 under the jurisdiction of the Secretary who are
 22 associated with the production of a film.

23 “(B) REQUIRED PERMIT AND FEE.—For
 24 any film crew of 5 persons or fewer, the Sec-
 25 retary shall require a permit and assess an an-

1 nual fee of \$200 for commercial filming activi-
2 ties or similar projects on Federal land and wa-
3 terways administered by the Secretary.

4 “(C) COMMERCIAL FILMING ACTIVITIES.—

5 A permit issued under subparagraph (B) shall
6 be valid for commercial filming activities or
7 similar projects that occur in areas designated
8 for public use during public hours on all Fed-
9 eral land and waterways administered by the
10 Secretary for a 1-year period beginning on the
11 date of issuance of the permit.

12 “(D) NO ADDITIONAL FEES.—For persons

13 holding a permit issued under this paragraph,
14 during the effective period of the permit, the
15 Secretary shall not assess any fees in addition
16 to the fee assessed under subparagraph (B).

17 “(E) USE OF CAMERAS.—The Secretary

18 shall not prohibit, as a mechanized apparatus
19 or under any other purposes, use of cameras or
20 related equipment used for the purpose of com-
21 mercial filming activities or similar projects in
22 accordance with this paragraph on Federal land
23 and waterways administered by the Secretary.

24 “(F) NOTIFICATION REQUIRED.—A film

25 crew of 5 persons or fewer subject to a permit

1 issued under this paragraph shall notify the ap-
2 plicable land management agency with jurisdic-
3 tion over the Federal land at least 48 hours be-
4 fore entering the Federal land.

5 “(G) DENIAL OF ACCESS.—The head of
6 the applicable land management agency may
7 deny access to a film crew under this paragraph
8 if—

9 “(i) there is a likelihood of resource
10 damage that cannot be mitigated;

11 “(ii) there would be an unreasonable
12 disruption of the use and enjoyment of the
13 site by the public;

14 “(iii) the activity poses health or safe-
15 ty risks to the public; or

16 “(iv) the filming includes the use of
17 models or props that are not part of the
18 natural or cultural resources or adminis-
19 trative facilities of the Federal land.”; and

20 (2) in the first sentence of subsection (b), by
21 striking “collect any costs” and inserting “recover
22 any costs”.

23 (c) OTHER FEDERAL LAND.—Section 1 of Public
24 Law 106–206 (16 U.S.C. 460l–6d) is amended—

25 (1) in subsection (a)—

1 (A) in paragraph (1), by striking “The
2 Secretary” and inserting “Except as provided
3 in paragraph (3), the Secretary”; and

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

5 “(3) SPECIAL RULES FOR FILM CREWS OF 5
6 PERSONS OR FEWER.—

7 “(A) DEFINITION OF FILM CREW.—In this
8 paragraph, the term ‘film crew’ means any per-
9 sons present on Federal land or waterways
10 under the jurisdiction of the Secretary who are
11 associated with the production of a film.

12 “(B) REQUIRED PERMIT AND FEE.—For
13 any film crew of 5 persons or fewer, the Sec-
14 retary shall require a permit and assess an an-
15 nual fee of \$200 for commercial filming activi-
16 ties or similar projects on Federal land and wa-
17 terways administered by the Secretary.

18 “(C) COMMERCIAL FILMING ACTIVITIES.—
19 A permit issued under subparagraph (B) shall
20 be valid for commercial filming activities or
21 similar projects that occur in areas designated
22 for public use during public hours on all Fed-
23 eral land and waterways administered by the
24 Secretary for a 1-year period beginning on the
25 date of issuance of the permit.

1 “(D) NO ADDITIONAL FEES.—For persons
2 holding a permit issued under this paragraph,
3 during the effective period of the permit, the
4 Secretary shall not assess any fees in addition
5 to the fee assessed under subparagraph (B).

6 “(E) USE OF CAMERAS.—The Secretary
7 shall not prohibit, as a mechanized apparatus
8 or under any other purposes, use of cameras or
9 related equipment used for the purpose of com-
10 mercial filming activities or similar projects in
11 accordance with this paragraph on Federal land
12 and waterways administered by the Secretary.

13 “(F) NOTIFICATION REQUIRED.—A film
14 crew of 5 persons or fewer subject to a permit
15 issued under this paragraph shall notify the ap-
16 plicable land management agency with jurisdic-
17 tion over the Federal land at least 48 hours be-
18 fore entering the Federal land.

19 “(G) DENIAL OF ACCESS.—The head of
20 the applicable land management agency may
21 deny access to a film crew under this paragraph
22 if—

23 “(i) there is a likelihood of resource
24 damage that cannot be mitigated;

1 “(ii) there would be an unreasonable
2 disruption of the use and enjoyment of the
3 site by the public;

4 “(iii) the activity poses health or safe-
5 ty risks to the public; or

6 “(iv) the filming includes the use of
7 models or props that are not part of the
8 natural or cultural resources or adminis-
9 trative facilities of the Federal land.”; and

10 (2) in the first sentence of subsection (b)—

11 (A) by striking “collect any costs” and in-
12 serting “recover any costs”; and

13 (B) by striking “similar project” and in-
14 serting “similar projects”.

15 **SEC. 103. FEDERAL ACTION TRANSPARENCY.**

16 (a) MODIFICATION OF EQUAL ACCESS TO JUSTICE
17 PROVISIONS.—

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

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

22 (B) by redesignating subsection (f) as sub-
23 section (i); and

24 (C) by striking subsection (e) and inserting
25 the following:

1 “(e)(1) Not later than March 31 of the first fiscal
2 year beginning after the date of enactment of the Bipar-
3 tisan Sportsmen’s Act of 2015, and every fiscal year there-
4 after, the Chairman of the Administrative Conference of
5 the United States, after consultation with the Chief Coun-
6 sel for Advocacy of the Small Business Administration,
7 shall submit to Congress and make publicly available on-
8 line a report on the amount of fees and other expenses
9 awarded during the preceding fiscal year under this sec-
10 tion.

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

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

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

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

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

13 “(2) The name of the agency involved in the
14 adversary adjudication.

15 “(3) A description of the claims in the adver-
16 sary adjudication.

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

19 “(5) The amount of the award.

20 “(6) The basis for the finding that the position
21 of the agency concerned was not substantially justi-
22 fied.

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

1 “(h) The head of each agency shall provide to the
2 Chairman of the Administrative Conference of the United
3 States in a timely manner all information requested by
4 the Chairman to comply with the requirements of sub-
5 sections (e), (f), and (g).”.

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

9 “(5)(A) Not later than March 31 of the first fiscal
10 year beginning after the date of enactment of the Bipar-
11 tisan Sportsmen’s Act of 2015, and every fiscal year there-
12 after, the Chairman of the Administrative Conference of
13 the United States shall submit to Congress and make pub-
14 licly available online a report on the amount of fees and
15 other expenses awarded during the preceding fiscal year
16 pursuant to this subsection.

17 “(B) Each report under subparagraph (A) shall de-
18 scribe the number, nature, and amount of the awards, the
19 claims involved in the controversy, and any other relevant
20 information that may aid Congress in evaluating the scope
21 and impact of such awards.

22 “(C)(i) Each report under subparagraph (A) shall ac-
23 count for all payments of fees and other expenses awarded
24 under this subsection that are made pursuant to a settle-
25 ment agreement, regardless of whether the settlement

1 agreement is sealed or otherwise subject to a nondisclosure
2 provision.

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

7 “(D) The Chairman of the Administrative Conference
8 of the United States shall include and clearly identify in
9 each annual report under subparagraph (A), for each case
10 in which an award of fees and other expenses is included
11 in the report—

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

14 “(ii) the amount of the award of fees and other
15 expenses; and

16 “(iii) the statute under which the plaintiff filed
17 suit.

18 “(6) As soon as practicable, and in any event not
19 later than the date on which the first report under para-
20 graph (5)(A) is required to be submitted, the Chairman
21 of the Administrative Conference of the United States
22 shall create and maintain online a searchable database
23 containing, with respect to each award of fees and other
24 expenses under this subsection made on or after the date

1 of enactment of the Bipartisan Sportsmen’s Act of 2015,
2 the following information:

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

5 “(B) The name of the agency involved in the
6 case.

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

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

10 “(E) The amount of the award.

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

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

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

23 (3) TECHNICAL AND CONFORMING AMEND-
24 MENTS.—Section 2412 of title 28, United States
25 Code, is amended—

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

3 (B) in subsection (e)—

4 (i) by striking “of section 2412 of
5 title 28, United States Code,” and insert-
6 ing “of this section”; and

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

9 (b) JUDGMENT FUND TRANSPARENCY.—Section
10 1304 of title 31, United States Code, is amended by add-
11 ing at the end the following:

12 “(d) Beginning not later than the date that is 60
13 days after the date of enactment of the Bipartisan Sports-
14 men’s Act of 2015, and unless the disclosure of such infor-
15 mation is otherwise prohibited by law or a court order,
16 the Secretary of the Treasury shall make available to the
17 public on a website, as soon as practicable, but not later
18 than 30 days after the date on which a payment under
19 this section is tendered, the following information with re-
20 gard to that payment:

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

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

24 “(3) The name of counsel for the plaintiff or
25 claimant.

1 “(4) The amount paid representing principal li-
 2 ability, and any amounts paid representing any an-
 3 cillary liability, including attorney fees, costs, and
 4 interest.

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

7 “(6) The name of the agency that submitted
 8 the claim.”.

9 **SEC. 104. BOWS IN THE PARKS.**

10 (a) DEFINITIONS.—In this section:

11 (1) DIRECTOR.—The term “Director” means
 12 the Director of the National Park Service.

13 (2) NOT READY FOR IMMEDIATE USE.—The
 14 term “not ready for immediate use” means—

15 (A) a bow or crossbow, the arrows of which
 16 are secured or stowed in a quiver or other
 17 arrow transport case; and

18 (B) with respect to a crossbow, uncocked.

19 (b) VEHICULAR TRANSPORTATION AUTHORIZED.—

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

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

3 (2) the bows or crossbows that are not ready
4 for immediate use remain inside the vehicle of the
5 individual throughout the period during which the
6 bows or crossbows are transported across National
7 Park System land; and

8 (3) the possession of the bows and crossbows is
9 in compliance with the law of the State in which the
10 unit of the National Park System is located.

11 **TITLE II—HABITAT** 12 **CONSERVATION**

13 **SEC. 201. AVAILABILITY OF LAND AND WATER CONSERVA-** 14 **TION FUND FOR RECREATIONAL PUBLIC AC-** 15 **CESS PROJECTS.**

16 (a) AVAILABILITY OF FUNDS.—Section 200303 of
17 title 54, United States Code, is amended to read as fol-
18 lows:

19 **“§ 200303. Availability of funds for certain projects**

20 “Notwithstanding any other provision of this Act, the
21 Secretary and the Secretary of Agriculture shall ensure
22 that, of the amounts appropriated for the fund for each
23 fiscal year, not less than the greater of 1.5 percent of the
24 amounts or \$10,000,000 shall be made available for
25 projects that secure public access to Federal land for hunt-

1 ing, fishing, and other recreational purposes through ease-
 2 ments, rights-of-way, or fee title acquisitions from willing
 3 sellers.”.

4 (b) CONFORMING AMENDMENTS.—

5 (1) AVAILABILITY OF DEPOSITS.—Section
 6 200302(c)(3) of title 54, United States Code, is
 7 amended by striking “Notwithstanding section
 8 200303 of this title, money” and inserting “Money”.

9 (2) CONTRACTS FOR ACQUISITION OF LAND
 10 AND WATER.—Section 200308 of title 54, United
 11 States Code, is amended in the first sentence, by
 12 striking “by section 200303 of this title”.

13 (3) CONTRACTS FOR OPTIONS TO ACQUIRE
 14 LAND AND WATER IN SYSTEM.—Section 200309 of
 15 title 54, United States Code, is amended in the third
 16 sentence by striking “by section 200303 of this
 17 title”.

18 **SEC. 202. IDENTIFYING OPPORTUNITIES FOR RECREATION,**

19 **HUNTING, AND FISHING ON FEDERAL LAND.**

20 (a) DEFINITIONS.—In this section:

21 (1) FEDERAL PUBLIC LAND MANAGEMENT
 22 AGENCY.—The term “Federal public land manage-
 23 ment agency” means any of the National Park Serv-
 24 ice, the United States Fish and Wildlife Service, the

1 Forest Service, and the Bureau of Land Manage-
2 ment.

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

5 (A) a State office of the Bureau of Land
6 Management; or

7 (B) a regional office of the National Park
8 Service, the United States Fish and Wildlife
9 Service, or 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, each
15 head of each State or regional office shall prepare a
16 priority list, to be made publicly available on the
17 website of the applicable Federal public land man-
18 agement agency, which shall identify the location
19 and acreage of land under the jurisdiction of the
20 State or regional office on which the public is al-
21 lowed, under Federal or State law, to hunt, fish, or
22 use the land for other recreational 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 head of the State
4 or regional office).

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

8 (3) CONSIDERATIONS.—In preparing the pri-
9 ority list required under paragraph (1), the head of
10 the State or regional office shall consider with re-
11 spect to the land—

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

14 (B) the likelihood of resolving the absence
15 of or restriction to public access;

16 (C) the potential for recreational use;

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

20 (E) any other factor as determined by the
21 head of the State or regional office.

22 (4) ADJACENT LAND STATUS.—For each parcel
23 of land on the priority list, the head of the State or
24 regional office shall state whether resolving the issue
25 of public access or egress to the land would require

1 acquisition of an easement, right-of-way, or fee title
2 from—

3 (A) another Federal agency;

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

5 (C) a private landowner.

6 (5) NOMINATION PROCESS.—In preparing a pri-
7 ority list under this section, the head of the State
8 or regional office shall provide an opportunity for
9 members of the public to nominate parcels for inclu-
10 sion on the priority list.

11 (c) ACCESS OPTIONS.—With respect to land included
12 on a priority list described in subsection (b), the head of
13 the State or regional office shall develop and submit to
14 the Committees on Appropriations and Energy and Nat-
15 ural Resources of the Senate and the Committees on Ap-
16 propriations and Natural Resources of the House of Rep-
17 resentatives a report on options for providing access
18 that—

19 (1) identifies how public access and egress
20 could reasonably be provided to the legal boundaries
21 of the land in a manner that minimizes the impact
22 on wildlife habitat and water quality;

23 (2) specifies the steps recommended to secure
24 the access and egress, including acquiring an ease-
25 ment, right-of-way, or fee title from a willing owner

1 of any land that abuts the land or the need to co-
2 ordinate with State land management agencies or
3 other Federal, State, or tribal governments to allow
4 for such access and egress; and

5 (3) is consistent with the travel management
6 plan in effect on the land.

7 (d) PROTECTION OF PERSONALLY IDENTIFYING IN-
8 FORMATION.—In making the priority list and report pre-
9 pared under subsections (b) and (c) available, the head
10 of the State or regional office shall ensure that no person-
11 ally identifying information is included, such as names or
12 addresses of individuals or entities.

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

21 (f) MEANS OF PUBLIC ACCESS AND EGRESS IN-
22 CLUDED.—In considering public access and egress under
23 subsections (b) and (c), the head of the applicable Federal
24 public land management agency shall consider public ac-

1 cess and egress to the legal boundaries of the land de-
2 scribed in those subsections, including access and egress—

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

4 (2) on foot or horseback.

5 (g) EFFECT.—

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

10 (2) EFFECT OF ALLOWABLE USES ON AGENCY
11 CONSIDERATION.—In preparing the priority list
12 under subsection (b), the head of the applicable
13 State or regional office shall only consider rec-
14 reational uses that are allowed on the land at the
15 time that the priority list is prepared.

16 **SEC. 203. FEDERAL LAND TRANSACTION FACILITATION**
17 **ACT.**

18 (a) IN GENERAL.—The Federal Land Transaction
19 Facilitation Act is amended—

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

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

1 (A) in subsection (a), by striking “(as in
2 effect on the date of enactment of this Act)”;
3 and

4 (B) by striking subsection (d);

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

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

8 (A) in paragraph (1)—

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

11 (ii) by striking “; or” and inserting a
12 semicolon;

13 (B) in paragraph (2)—

14 (i) by inserting “Public Law 105–
15 263;” before “112 Stat.”; and

16 (ii) by striking the period at the end
17 and inserting a semicolon; and

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

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

22 “(4) the Lincoln County Conservation, Recre-
23 ation, and Development Act of 2004 (Public Law
24 108–424; 118 Stat. 2403);

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

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

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

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

13 (b) FUNDS TO THE TREASURY.—Of the amounts de-
14 posited in the Federal Land Disposal Account, there shall
15 be transferred to the Treasury \$1,000,000 for each of fis-
16 cal years 2016 through 2025.

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