

# Subcommittee on Federal Lands

Tom McClintock, Chairman  
Hearing Memorandum

February 9, 2018

To: All Subcommittee on Federal Lands Members

From: Majority Committee Staff — Will Layden  
Subcommittee on Federal Lands (x6-7736)

Hearing: **Legislative hearing on H.R. 4647 (Rep. Jeff Fortenberry)** To amend the Pittman-Robertson Wildlife Restoration Act to make supplemental funds available for management of fish and wildlife species of greatest conservation need as determined by State fish and wildlife agencies, and for other purposes.  
**February 15, 2018, 2:30 PM; 1334 Longworth House Office Building**

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## H.R. 4647, “*Recovering America’s Wildlife Act*”

### Summary of the Bill

H.R. 4647, introduced by Representative Jeff Fortenberry (R-NE-1), would amend the Pittman-Robertson Wildlife Restoration Act (Pittman-Robertson Act, Sept. 2, 1937, ch. 899, §1, 50 Stat. 917) to include a Wildlife Conservation and Restoration Subaccount, which would provide \$1.3 billion a year for State-based wildlife conservation and management projects.

### Cosponsors

Rep. Debbie Dingell [D-MI-12], Rep. Tom Cole [R-OK-04], Rep. Suzanne Bonamici [D-OR-01], Rep. Ann M. Kuster [D-NH-02], Rep. Frank A. LoBiondo [R-NJ-02], Rep. Nydia M. Velazquez [D-NY-07], and Rep. Salud O. Carbajal [D-CA-24].

### Witnesses

The Honorable Jeff Fortenberry  
Member of Congress  
Nebraska 1st District

Mr. Bob Ziehmer  
Senior Director of Conservation  
Bass Pro Shops  
Springfield, MO

### Background

The Pittman-Robertson Act uses the proceeds of federal excise tax on firearms ammunition and archery equipment to fund grants for wildlife resource projects to State and territorial fish and wildlife agencies and to conduct programs for hunter education. The excise tax is set at 10% of the wholesale price for pistols and revolvers, and 11% for other firearms as

well as shells or cartridges, and is collected by the manufacturer. An 11% tax on archery equipment is also deposited into the fund. The tax is applied whether the equipment is likely to be used for hunting or not. Total apportionments to the States and territories were \$780,031,696 in Fiscal Year 2017, and \$695,141,699 in Fiscal Year 2016.<sup>1</sup>

Prior to passage of the Pittman–Robertson Act, many species of wildlife were driven to, or near extinction by commercial, market hunting pressure and habitat degradation<sup>2</sup>. The taxes paid by hunters and recreational shooters provide funds that support the management of wildlife populations and their habitats for both game and non-game animals. Preserving and enhancing this volunteer revenue source has enabled State agencies to provide outdoor recreational activities for all Americans who enjoy the outdoors. This “user pay/public benefits” approach benefits hunters, recreational shooters, and all citizens through the delivery of on the ground wildlife and habitat conservation by the State fish and wildlife agencies.

There is a growing concern among a diverse group of stakeholders that America’s wildlife is increasingly at risk. According to the National Wildlife Federation, up to one third of all wildlife species in the United States is at an increased risk of extinction. State fish and wildlife agencies nationwide have identified nearly 12,000 species in need of proactive conservation action, at an estimated cost of more than \$1.3 billion annually. Further, there is a growing concern that inaction will soon begin to have a negative effect on America’s outdoor recreation industry, which is estimated to contribute \$887 billion to the national economy.

H.R. 4647 creates a dedicated funding stream for State-directed wildlife conservation and restoration programs by directing \$650 million a year from both the Outer Continental Shelf revenue account and Mineral Leasing Act revenue account within the U.S. Treasury to a new subaccount within the Pittman-Robertson fund. The new subaccount would be charged with funding new and existing State-based wildlife management programs, Endangered Species Act management programs, wildlife conservation law enforcement, and more. Additionally, H.R. 4647 adjusts the current funding allocation of the revenue derived from the federal excise tax to benefit larger States.

## **[Support for the Legislation](#)**

### **Major Provisions/Section-by-Section Analysis of H.R. 4647**

Sec. 1 – Short Title

Sec. 2 – Findings

Sec. 3 – Wildlife Conservation and Restoration Subaccount

- Establishes a Wildlife Conservation and Restoration Subaccount within the Pittman-Robertson fund

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<sup>1</sup> United States Fish and Wildlife Service [Certificates of Apportionment](#) for Fiscal Years 2016 and 2017.

<sup>2</sup> Bolen, Eric (2003). *Wildlife Ecology and Management*. New Jersey: Prentice Hall. Pp. Chapter

- Directs \$1.3 billion a year to the subaccount, funded evenly by Outer Continental Shelf Revenues and Mineral Leasing Act Revenues
- Funds in the subaccount are directed to support:
  - Existing wildlife conservation and restoration programs
  - New wildlife conservation and restoration programs, including non-game species
  - New and existing State wildlife conservation strategies
  - Wildlife conservation education and recreation
  - Endangered Species Act recovery programs
  - International wildlife conservation and restoration programs
  - Invasive species control and suppression
  - Law enforcement activities related to the protection and conservation of species
- Adjusts current allocation of Pittman- Robertson funding to better favor larger States by area
  - Equalizes second cut allocation ratio, which currently gives heavier weight to State population size

#### Sec. 4 – Clarifying Amendments

- Offers clarifying amendments

#### Sec. 5 – Savings Clause

- Ensures that nothing in this act could be construed to affect State fish and game management

#### **Cost**

A Congressional Budget Office cost estimate has not yet been completed for this bill.

#### **Administration Position**

The Administration's position is currently unknown.

#### **[Effect on Current Law \(Ramseyer\)](#)**