

112TH CONGRESS
1ST SESSION

H. R. 1443

To protect the use of traditional hunting and fishing implements and to prevent unnecessary and unwarranted restrictions on the implements used by the hunting and fishing communities.

IN THE HOUSE OF REPRESENTATIVES

APRIL 8, 2011

Mr. BROUN of Georgia (for himself, Mr. BOREN, Mr. ROSS of Arkansas, Mr. ALTMIRE, Mr. MATHESON, Mr. BISHOP of Utah, Mr. REHBERG, Ms. JENKINS, and Mr. MILLER of Florida) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committees on Energy and Commerce and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To protect the use of traditional hunting and fishing implements and to prevent unnecessary and unwarranted restrictions on the implements used by the hunting and fishing communities.

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.**

4 This Act may be cited as the “Outdoor Sports Protec-
5 tion Act”.

1 **SEC. 2. FINDINGS.**

2 Congress finds that—

3 (1) millions of Americans of all ages enjoy rec-
4 reational fishing, sport shooting, and hunting;

5 (2) those millions of anglers, sport shooters,
6 and hunters are the primary source of funding for
7 Federal and State wildlife and habitat conservation
8 and management;

9 (3) lead and other types of traditional fishing,
10 shooting, and hunting implements have been used by
11 Americans for hundreds of years;

12 (4) alternative forms of sinkers and fishing
13 lures are considerably more expensive than those
14 made of traditional materials; consequently, a ban
15 on traditional fishing implements would decrease
16 fishing participation and impose significant addi-
17 tional costs on millions of Americans who fish;

18 (5) alternative forms of ammunition and ammu-
19 nition components are considerably more expensive
20 than those made of traditional materials, and can be
21 difficult if not impossible to obtain; consequently, a
22 ban on traditional ammunition would decrease par-
23 ticipation in the shooting sports and impose signifi-
24 cant costs on the millions of American hunters and
25 sport shooters;

1 (6) any reduction in participation in fishing,
2 hunting, and the shooting sports would greatly affect
3 funding for Federal and State wildlife and habitat
4 conservation; and

5 (7) voluntary programs by hunters to reduce
6 lead use have largely been successful, and in the ab-
7 sence of more definitive evidence of harm to the en-
8 vironment the Federal Government should not take
9 steps to restrict the use of traditional hunting and
10 fishing implements.

11 **SEC. 3. DEFINITIONS.**

12 In this Act:

13 (1) **TRADITIONAL HUNTING AND FISHING IM-**
14 **PLEMENT.**—The term “traditional hunting and fish-
15 ing implement” means any—

- 16 (A) firearm;
- 17 (B) ammunition;
- 18 (C) ammunition component;
- 19 (D) fishing lure;
- 20 (E) fishing sinker or weight; and
- 21 (F) fishing line;

22 that contains lead, zinc, copper, or brass.

23 (2) **FEDERAL PUBLIC LAND.**—

1 (A) IN GENERAL.—Except as provided in
2 subparagraph (B), the term “Federal public
3 land” means any land or water that is—

- 4 (i) owned by the United States; and
5 (ii) managed by the Department of
6 the Interior or the Department of Agri-
7 culture for purposes that include the con-
8 servation of natural resources.

9 (B) EXCLUSION.—The term “Federal pub-
10 lic land” does not include any land or water
11 held in trust for the benefit of—

- 12 (i) a federally recognized Indian tribe;
13 or
14 (ii) a member of a federally recog-
15 nized Indian tribe.

16 **SEC. 4. PROTECTION OF TRADITIONAL HUNTING AND FISH-**
17 **ING IMPLEMENT.**

18 (a) IN GENERAL.—The Administrator of the Envi-
19 ronmental Protection Agency shall not take action to pro-
20 hibit or otherwise restrict, based on material content, the
21 manufacture, importation, sale, or use of any traditional
22 hunting and fishing implement.

23 (b) REPORT.—If the Administrator determines that
24 the best scientific evidence available demonstrates that the
25 use of any traditional hunting and fishing implement is

1 having or will have a substantially detrimental effect on
2 the environment, the Administrator shall report those
3 findings to Congress, with any recommendation that the
4 Administrator may have for legislative action.

5 **SEC. 5. LIMITATION ON DEPARTMENTS OF THE INTERIOR**
6 **AND AGRICULTURE.**

7 (a) IN GENERAL.—Subject to section 7, the Depart-
8 ment of the Interior and the Department of Agriculture,
9 including each agency and bureau of such Departments,
10 shall not newly prohibit or limit, based on material con-
11 tent, the use of any traditional hunting and fishing imple-
12 ment on Federal public lands.

13 (b) REPORT.—If the Secretary of the Interior or Sec-
14 retary Agriculture determines that the best scientific evi-
15 dence available demonstrates that the use of traditional
16 hunting and fishing equipment is having or will have a
17 substantially detrimental effect on the sustainability of a
18 local fish or wildlife population, the Secretary shall report
19 those findings to Congress, with any recommendation that
20 the Secretary or Secretaries may have for legislative ac-
21 tion.

22 **SEC. 6. STATE COMPLIANCE.**

23 Subject to section 7, no State or territory of the
24 United States shall be eligible for any funding or appor-
25 tionment under the Pittman-Robertson Wildlife Restora-

1 tion Act (16 U.S.C. 669 et seq.) or the Dingell-Johnson
2 Sport Fish Restoration Act (16 U.S.C. 777 et seq.) if the
3 State or territory prohibits or otherwise restricts, based
4 on material content, the sale or use of any traditional
5 hunting and fishing implement.

6 **SEC. 7. EXCEPTIONS.**

7 Nothing in this Act affects the Department of the
8 Interior's, Department of Agriculture's, a State's, or a ter-
9 ritory's authority to prohibit or limit, based on material
10 content, the types of traditional hunting and fishing imple-
11 ments used for hunting and fishing to the extent a specific
12 law or regulation is in effect on the date of enactment
13 of this Act.

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