

Testimony of  
**Jeff Crane**  
**President**  
**Congressional Sportsmen's Foundation**

Before the  
**Committee on Environment and Public Works**  
**United States Senate**

Regarding  
**S. 1514, the "HELP for Wildlife Act"**

July 19, 2017

Good morning Chairman Barrasso, Ranking Member Carper, and members of the Committee. My name is Jeff Crane, and for the past 12 years I have served as the President of the Congressional Sportsmen's Foundation (CSF). Established in 1989, CSF works with the Congressional Sportsmen's Caucus (CSC), the largest, most active bipartisan caucus on Capitol Hill. With nearly 300 Members of the Congress from both the House and Senate, current Senate CSC Co-Chairs are Senators Jim Risch (ID) and Joe Manchin (WV), and Vice-Chairs are Senators Deb Fischer (NE) and Heidi Heitkamp (ND).

Thirteen years ago, CSF extended the legislative network from Washington, DC to states across the country, establishing the bipartisan National Assembly of Sportsmen's Caucuses, which today is made up of 48 state legislative caucuses, and includes over 2,000 legislators. Eight years ago, CSF established a bipartisan Governors Sportsmen's Caucus, which today includes 33 Governors and one Lieutenant Governor. Together, this collective force of bipartisan elected officials work to protect and advance hunting, angling, recreational shooting and trapping for the nearly 40 million sportsmen and women who spend \$90 billion annually on our outdoor pursuits.

Taking a moment to put things into historical perspective, the idea of conservation in America began with members of the sportsmen's community, who introduced game laws and programs to protect natural resources - leading to the creation of state and federal fish and wildlife agencies. Nearly 80 years ago, the hunting community led the charge for the passage of the Federal Aid in Wildlife Restoration Act (Pittman-Robertson Act) which redirected excise taxes on firearms and ammunition to a dedicated fund to be used specifically for conservation purposes. Further, revenue from sportsmen's licenses was also permanently linked to conservation, laying the foundation for what is now the unique American System of Conservation Funding, a "user pays - public benefits" program that is the financial backbone of the most successful conservation model in the world. Through time, this System has expanded and now includes the fishing and boating communities - with the passage of the Federal Aid in Sportfish Restoration Act (also known as the Dingell-Johnson Act, and the subsequent Wallop-Breaux Amendment) as well as the archery community. The funds collected through these programs, totaling over \$16 billion, plus millions of dollars annually in license and permit fees, are the lifeblood of state fish and wildlife agencies - the primary managers of our nation's fish and wildlife resources. These critical conservation dollars fund a variety of efforts including: enhanced fish and wildlife habitat and populations, recreational access to public and private lands, shooting ranges and boat access facilities, wetlands protection and its associated water filtration and flood retention functions, and improved soil and water conservation - all which benefit the American public.

It is also worth noting that unlike some other outdoor recreational activities, hunting and shooting, in particular, are under constant siege by well-funded, politically active and litigious extremist groups that are intent on using whatever means necessary to put an end to the traditions we cherish. Through the use of frivolous lawsuits and judicial action, these anti-use and animal rights extremists are using the courts instead of relying on science-based wildlife management to achieve their intolerant anti-hunting and fishing agenda. Legal challenges to the application of the statutory and administrative policies that guide federal land management and conservation are effectively tying the hands of the public land managers and state wildlife officials, which in turn, degrade habitat quality and deny access and opportunity.

The provisions in this legislation attempt to address many of these issues and should provide certainty that our sportsmen's heritage will be protected into the future. CSF supports the "HELP for Wildlife Act" and would like to draw particular attention to the following provisions in the bill:

## **Section 2: Target Practice and Marksmanship Training Support Act**

Section 2 would allow states to use the excise taxes already collected on sporting equipment and ammunition to develop and maintain much-needed public shooting ranges, ultimately generating increased wildlife conservation funding. Hunters, recreational shooters and firearms, archery, and ammunition manufacturers are the largest financial supporters of wildlife conservation throughout the United States, having contributed more than \$7 billion to habitat conservation and wildlife management through Pittman-Robertson excise tax payments since the program's inception. In recent years, contributing as much as \$800 million annually to habitat conservation, wildlife management, and science based research. A significant portion of this amount is directly attributable to recreational shooters who, per-capita, spend even more than hunters on firearms and ammunition subject to these important excise taxes.

Despite the unqualified success of this historic "user pays – public benefits" system, Pittman-Robertson funds have not always been administered in a manner that encourages the creation of recreational shooting opportunities. As a result, opportunities for both recreational and competitive shooting have declined significantly in recent years. Section 2 would help address this loss of access and opportunity by providing states with more flexibility in their use of Pittman-Robertson funds to develop and improve public shooting ranges.

Specifically, it would amend an existing requirement that Pittman-Robertson funding used for shooting ranges be obligated within two years by allowing the funds to accrue over five years. This extension would allow individual projects to be funded over multiple budget cycles and significantly enhance the ability of states to build and maintain shooting ranges. In addition, the legislation would limit the unnecessary exposure to liability that land management agencies may face when providing recreational shooting opportunities on public lands.

Section 2 would also reduce existing local and state Pittman-Robertson matching requirements for shooting ranges from 25% to 10%. Pittman-Robertson funds are allocated to states on a formula basis. Therefore, while this change would provide additional flexibility and capability to states, the reimbursement rate would not result in increased federal spending.

Finally, I would like to emphasize that Section 2 will help state and federal recreation managers reduce conflicts on public land. As our nation's population continues to grow and development occurs near our public forests, rangelands and grasslands, the increased use of these resources by a new and diverse set of recreational users has had a significant impact on the target shooters and hunters that have traditionally used these areas to practice their craft or sight in a rifle before hunting season. As this growth and development occurs, the reality is that recreational shooters will continue to be displaced by a regulatory and land management planning regime that has demonstrated a willingness to favor other recreational pursuits when conflict arises, having already shut down access to significant portions of our treasured federal lands. One way to

address this problem is by making sure that this lost opportunity – or at the very least, a portion of it – can be offset by the construction or renovation of places that are conducive to target practice, hunting preparation and the shooting sports.

#### **Section 4: North American Wetlands Conservation Act**

Section 4 will extend the North American Wetlands Conservation Act (NAWCA) through fiscal year 2022 at an annual authorization of \$50,000,000. Originally passed in 1989, NAWCA provides matching grants to carry out wetlands conservation projects in the United States, Canada, and Mexico. Since enactment, NAWCA has provided nearly \$4 billion in grants and matching funds to provide funding for 2,000 projects spanning over 27 million acres in all 50 states. NAWCA requires that for every federal dollar contributed to the program, a non-federal source must equally match the \$1 federal contribution. However, the program is often matched at a rate of \$3 for every \$1 of federal money, a sign that conservation groups, including sportsmen and women, are willing to have skin in the game.

Wetlands benefit wildlife and people by acting as filters to provide clean water and to recharge groundwater supplies. In addition to serving as a natural water filtration system, wetlands also lessen the severity of damage caused by floods and hurricanes by acting as a buffer zone in coastal regions. NAWCA ensures protection of invaluable habitat for ducks, fish, mammals, alligators, and thousands of other species that call wetlands their home. NAWCA is the epitome of a successful public-private partnership that plays an instrumental role in protecting our treasured wetlands.

#### **Section 7: Reissuance of Final Rule Regarding Gray Wolves in Western Great Lakes**

#### **Section 8: Reissuance of Final Regarding Gray Wolves in Wyoming**

The gray wolf populations in the Rocky Mountains and the Great Lakes areas have long exceeded their recovery goals. Accordingly, the wildlife professionals at the U.S. Fish and Wildlife Service (FWS) decided to remove both of these populations from the lists of Threatened and Endangered Species and return management authority to state wildlife agencies. These decisions by the FWS have been repeatedly overturned by the courts on procedural grounds that confuse the plain biological reality of a successful recovery with the unclear requirements of the Endangered Species Act (ESA) itself regarding modern scientific knowledge on population boundaries.

While Congress may or may not advance the various proposals that would address these deficiencies through a broader modernization of the ESA, I encourage the committee to recall that Congress passed a bipartisan measure to return Idaho and Montana gray wolves to state management in 2011. Since that time, these two states have demonstrated without question that they have both the capacity and willingness to manage gray wolves appropriately as their populations continue to increase. We are confident that state managers in Wyoming and the Great Lakes states are equipped to take on these responsibilities and believe that affirming the ecologically sound rulings issued by FWS scientists during the previous administration is long overdue.

The FWS states that, “the gray wolf has rebounded from the brink of extinction to exceed population targets by as much as 300 percent. Today, there are estimated to be 5,691 gray wolves in the contiguous United States. Wolf numbers continue to be robust, stable and self-sustaining.” The recovery of the gray wolf is a success story and now their management needs to be rightfully transferred to the professionals at the state wildlife management agencies– the primary managers of our nation’s fish and wildlife resources.

## **Section 9: Modification of Definition of Sport Fishing Equipment Under Toxic Substances Control Act**

Section 9 would amend the Toxic Substance Control Act (TSCA) to clarify that an existing exemption from TSCA regulation for sport fishing equipment as defined in the IRS Code, would be made permanent. Congress has already approved permanent protections to traditional ammunition, so this title would create a similar exemption for articles of fishing tackle subject to Wallop-Breaux and Dingell-Johnson excise taxes.

Anti-hunting and fishing interests have petitioned the Environmental Protection Agency (EPA) to force the EPA to expand its TSCA authority in order to regulate traditional ammunition and recreational fishing tackle. These organizations assert that this is necessary to address significant impacts to wildlife populations that are resulting nationwide from the use of traditional tackle and ammunition. These exaggerations are little more than misleading scare tactics with no credible supporting science. Our natural resource professionals already have the necessary tools to address and mitigate any localized issues that might arise without the unwarranted involvement of the EPA and TSCA.

Moreover, EPA’s exercise of TSCA authority over recreational fishing tackle would likely result in massive increases in the price of tackle for sportsmen due to the exponentially higher raw materials and manufacturing costs of using alternative metals. Not only would this result in the loss of anglers, it would also have untold detrimental impacts on countless manufacturing facilities resulting in the loss of thousands of jobs.

In addition, organizations involved in anti-hunting and fishing campaigns fail to acknowledge that the detrimental economic impacts to the fishing tackle industry would also result in considerable reductions to the excise taxes the sport fishing manufacturers pay on their products as a means of funding habitat conservation and boating safety throughout the country. In fact, much of our country’s fish and wildlife habitat exist solely as the result of these contributions.

Section 9 would amend TSCA in a manner that serves to protect and enhance our fishing heritage while concurrently facilitating the important benefits that the recreational fishing industries contribute to the betterment of our nation’s economy and treasured natural resources.

## **Summary**

In summary, this is a common sense, non-controversial bill, with bipartisan support, that is beneficial for conservation and preserves our outdoor heritage. This legislation is also good for the American economy, and especially good for rural communities that surround our treasured public lands and waters. This legislation helps ensure that America’s sporting and wildlife heritage will remain available to generations of hunters, anglers, recreational shooters, and wildlife enthusiasts to enjoy.

CSF would like to thank the sponsors of the important piece of legislation for their bipartisan work in the Senate. We would look forward to working with members of the committee to get this bill passed out of the U.S. Senate and enacted into law. Thank you.