



HEARING TO DISCUSS S. 659, THE BIPARTISAN SPORTSMEN'S ACT OF 2015

TUESDAY, MARCH 17, 2015

U.S. SENATE

Committee on Environment and Public Works

Subcommittee on Fisheries, Water and Wildlife

Washington, D.C.

The subcommittee met, pursuant to notice, at 10:00 a.m. in room 406, Dirksen Senate Building, the Honorable Dan Sullivan [chairman of the subcommittee] presiding.

Present: Senators Sullivan, Inhofe, Boozman, Fischer, Whitehouse, Booker, Cardin.

Also present: Senator Crapo.

STATEMENT OF THE HONORABLE DAN SULLIVAN, A UNITED STATES SENATOR  
FROM THE STATE OF ALASKA

Senator Sullivan. Good morning and welcome to our hearing on S. 659, the Bipartisan Sportsmen's Act of 2015. I see a number of the members of the audience wearing the green of St. Patrick's Day. I think it is altogether fitting that we are discussing this bill on St. Patrick's Day. I am sure most of you know that St. Patrick was a sportsman, an outdoorsman, chased all the snakes out of Ireland.

[Laughter.]

Senator Sullivan. He obviously was outside doing a lot of work with animals.

So it is great that we are starting this important bill on an important day.

This legislation represents years of hard work by the sporting community. I am appreciative of the efforts that have gone into crafting what is a collection of bills that have demonstrated broad bipartisan support over the years, including measures that enjoy the support of the Obama Administration.

I am hopeful that in this Congress, we will be able to take these long efforts across the finish line. Because doing so means more opportunities for America's sporting community and importantly, more dollars for wildlife conservation.

Specifically, S. 659 would codify an existing exemption that

would exclude the EPA from regulating lead fishing tackle and ammunition, provide the States greater ability to use Pittman Robertson funding for shooting ranges on public lands, allow the Secretary of Interior to issue permits to 41 hunters, including two Alaskans, so that they can import their legally taken polar bear trophies from Canada, ensure farmers are not cited for illegally baiting when hunting birds from their farm fields, allow the possession of firearms at water resource development projects, reauthorize the North American Wetlands Conservation Act, reauthorize five multi-national species conservation funds and extend Pittman Robertson Wildlife Restoration Act interest payments.

This morning, I know we are going to hear many positive things about the bill. We will also probably hear a few criticisms regarding the polar bear and lead ammunition provisions. Here are the facts, the straightforward facts on those provisions. This legislation simply codifies an existing exemption regarding the regulation of lead tackle and ammunition, and in no way restricts the ability of fish and wildlife agencies, both at the State and Federal levels, from restricting their usage if there is compelling scientific reason to do so.

Further, there are those who may be opposed to amending the Marine Mammal Protection Act to allow for the importation of 41 polar bear trophies from Canada and refer to the language as a

loophole. But the intent of Section 4 couldn't be clearer: to allow only those hunters with a legally-taken polar bear trophy prior to the 2008 ESA listing to bring those trophies into the U.S. This section reflects drafting changes requested by the Fish and Wildlife Service and has the support of the Obama Administration.

I hope we won't let these few differences detract from the bipartisan nature of this legislation, which represents the furtherance of the American system of conservation funding, which has funded fish and wildlife conservation for the past 76 years. Hunting and fishing licenses purchased, along with the excise taxes on the equipment sportsmen buy pay for State fish and wildlife management efforts that benefit both game and non-game species and continue to enhance our Nation's sporting heritage. But there is no denying that the greatest source of conservation funding comes from the sporting community itself.

Finally, this bill includes important conservation reauthorizations, like the North American Wetlands Conservation Act, Multinational Species Conservation Act, which provide matching grants to organizations, governments and land owners for projects. Both projects leverage non-Federal dollars at a ratio that far exceeds a one to one match.

With our Federal deficit now over \$18 trillion, our Federal debt, it is important that we adequately justify why Congress

should continue to appropriate a small but symbolically important amount of taxpayer money to these programs. I hope our witnesses today will help us tell that story.

Thank you again for being here. I look forward to hearing the testimony of our witnesses.

I now recognize Ranking Member Whitehouse for five minutes to deliver any opening statement he may have.

[The prepared statement of Senator Sullivan follows:]

STATEMENT OF THE HONORABLE SHELDON WHITEHOUSE, A UNITED STATES  
SENATOR FROM THE STATE OF RHODE ISLAND

Senator Whitehouse. Thank you, Chairman Sullivan.

I think what I would like to do is ask that my opening statement be entered into the record, without objection, because I want to make a rather different point. This has always been a strongly bipartisan bill. There has been a lot of support for it. I voted for it, I think every time it has come up.

I am even okay with the polar bear business, even though I think it is probably the largest amount of Congressional intention ever devoted to the smallest issue in the history of Congress. But never mind, if it is important enough to a few polar bear owners to bring them in and all of Congress wants to respond to that, that is, I guess, our business to do.

But what I see over and over again is bills that come to the Floor or bills that come to the committee that should be bipartisan, that could be non-controversial that have a stowaway loaded into them that causes partisan problems that are unnecessary. We are dealing right now on the Floor with a human trafficking bill which has been jammed up because an abortion-related stowaway provision was stuffed into it at the committee level without notice to the other side.

Okay, now we are where we are. This bill has a new section that wasn't in, I don't think I have ever seen it before in the

earlier versions of the Sportsmen's Act, which is this Section 6, giving people the right to run around water resources development projects with loaded firearms. Well, this isn't like being out in a park with a firearm. This is dams. This is hydroelectric power houses. This is navigation locks. This is river systems and levees, flood risk management infrastructure. These are things that are within our national security infrastructure.

And at the moment, Army Corps Rangers have responsibility for many of these areas, and they are not trained or equipped to be law enforcement officers. They don't have authority to carry firearms themselves, they can't make arrests, they can't execute search warrants. And now they are going to have to make decisions about whether somebody running around in national security infrastructure with a loaded weapon is doing so as a demonstration of their Second Amendment rights or has a worse intention.

I don't think that makes any sense. You may want that in Alaska, but in places like Rhode Island, that kind of behavior would be intensely alarming and frightening to other people and would be very, very unwelcome. I think this is a completely unnecessary addition to the bill. I would like to support it but I think that the best way to go forward is to let the bill go forward in the way that it has customarily gone forward, with bipartisan support, rather than put a stowaway provision that

puts at risk national security infrastructure and puts in peril the folks who have security authority over these areas, and is completely inconsistent with at least the way a lot of Americans live. We simply don't expect to see armed people running around what could very well be national security facilities when they have a security component there. To put enforcement people at the risk of figuring out who is there with a good or bad motive when they are running around with a loaded firearm I think is a mistake.

So I hope that the majority will reconsider putting such a contentious, unnecessary, potentially unsafe provision in this bill, when they enjoy a bill that is already very strongly supported by both sides. It doesn't seem necessary to put that stick in the public's eye.

With that, I will yield to the hearing.

[The prepared statement of Senator Whitehouse follows:]

Senator Sullivan. Thank you.

I want to welcome our witnesses, Jeff Crane, President of the Congressional Sportsmen's Foundation. Mr. Dale Hall, the CEO of Ducks Unlimited, and Mr. Wayne Pacelle, President and CEO of The Humane Society of the United States.

The witnesses have five minutes to deliver an oral statement, and a longer written statement, of course, will be included in the record.

I also want to, before we begin with the witnesses, ask unanimous consent that Senator Crapo will be allowed to sit on the dais and participate in this subcommittee hearing. Hearing no objection, so ordered.

Senator Whitehouse. With absolutely no objection.

Senator Sullivan. Mr. Crane, sir, you have five minutes for your opening statement.

STATEMENT OF JEFF CRANE, PRESIDENT, CONGRESSIONAL SPORTSMEN'S  
FOUNDATION

Mr. Crane. Thank you, Mr. Chairman, Senator Whitehouse, members of the committee. My name is Jeff Crane. I have had the privilege for the past decade of serving as the President of the Congressional Sportsmen's Foundation. Established in 1989, CSF works with the largest, most active bipartisan caucus on Capitol Hill, the Congressional Sportsmen's Caucus. With nearly 300 members in the House and the Senate, a number of you are here today, our past chairman in the caucus, Senator Crapo, is with us here today, I think that we work in the most bipartisan manner possible here in Washington.

I am here in support of S. 405, which is the expanded Bipartisan Sportsmen's Act that includes provisions contained in S. 659, which we also support.

I would like to point out, as you did, that this bill, S. 405, has 18 bipartisan co-sponsors, evenly divided between Republicans and Democrats, which again is a rarity these days in this town. A very similar bill had 46 bipartisan co-sponsors in the Senate last year, but failed to pass. So in borrowing some of my lexicon from the sportsman's world, where patience and persistence yields to success in the field, I am hoping this will be our year.

As you pointed out, Mr. Chairman, the Obama Administration

specifically supported three of the provisions that are in S. 659. In their Statement of the Administration Position dated February 3<sup>rd</sup>, 2014, it stated "The Administration supports Title 2, which is Section 3 of S. 659, which amends funding requirements under the current law for target range construction and maintenance, thus reducing the financial burden on State and local governments for public target ranges."

Continuing on, "The Administration also supports Title 4, which is Section 4 of S. 659, which allows the importation of certain polar bear trophies taken in sport hunts in Canada." Finally, the Administration staff says "The Administration has no objection to Title 1, which is Section 2 of S. 659, which includes certain sport fishing equipment, from the classification of toxic substances."

With all of this broad support, Mr. Chairman, I believe is time to pass the Bipartisan Sportsmen's Act of 2015. As a life-long conservationist and outdoorsman, I learned to hunt and fish from my father and grandfather, and I am passing these traditions on to my three daughters. In my home, we eat doves, deer, waterfowl, wild turkey and small game taken from the iconic eastern shore of Maryland. In the summer time, we catch crabs and fish for rockfish, which the rest of you might know as striped bass, from the Chesapeake Bay.

So the pursuit of game and fish is a way of life for me.

This bill is very important to me personally. But I think more importantly, it is important to the nearly 40 million Americans who hunt and fish and spend \$90 million in support of this economy, oftentimes in rural parts of this Country.

Conservation started with hunters and anglers. I draw a very great quote from Gifford Pinchot, who was the first chief of the Forest Service, who defined conservation as the wise use of the earth and its resources for the lasting good of mankind. With this comes a responsibility for stewardship. I think again that the sportsmen's community has always taken a leadership role in that.

As part of this, I would like to submit, which is part of my written testimony, a letter from nearly 50 of the leading hunting conservation and fishing conservation groups in America, asking for support and passage of S. 405.

Senator Sullivan. Without objection.

Mr. Crane. Thank you.

SO quite simply, in my final minutes, the overarching purpose behind this bill is to provide clarity where it doesn't exist and ensure access and opportunity for hunters, shooters and anglers. With an ever-increasing population, urbanization and suburban sprawl into areas that we traditionally hunt and fish, it is ever more important. With young people that spend more time on the couch and behind computers, we need to get them

outside. Hunting and fishing are great opportunities to do just this.

So where this does exist, we are looking for guarantees that it will continue to exist in the future. Where it doesn't, we are looking for your help to try and rectify that. That is all this bill does today.

I thank you for providing me the opportunity and I will be happy to answer any questions. Thank you.

[The prepared statement of Mr. Crane follows:]

Senator Sullivan. Great. Thank you, Mr. Crane, for your outstanding statement.

Mr. Hall, you are recognized now for five minutes. Thank you for being here.

## STATEMENT OF DALE HALL, CEO, DUCKS UNLIMITED

Mr. Hall. Good morning, Mr. Chairman, members of the committee. It is a pleasure to be here with you.

My name is Dale Hall. I am the CEO of Ducks Unlimited. I spent 31 years with the U.S. Fish and Wildlife Service. With the grace of this committee, headed by my good friend, Senator Inhofe, I was able to be the Director of the Fish and Wildlife Service from 2005 to 2009. So it is a pleasure to be back here in front of you.

I appreciate the opportunity to testify in behalf of Ducks Unlimited, fully supporting the Sportsmen's Act, including the reauthorization of the North American Wetlands Conservation Act, known as NAWCA, and the reauthorization of the interest from the Pittman-Robertson to fund NAWCA, as well. As has been stated, Pittman-Robertson was passed in 1937 at the request of hunters and shooters to be taxed so that that money would go into the treasury and support the State game and fish agencies in their management of the resources within the State. Interest gained from that fund has been agreed to by all of the States to go into the NAWCA fund to be used as part of the grant program. It has been very successful and we fully support that. We are here also to talk about other provisions, such as the baiting issue and different aspects of this bill that we fully support clarity on.

These programs are all the way government can and should

work. The partnership with the public, partnership with our friends out there, these programs represent good governance and we support them.

With more than a million supporters at Ducks Unlimited, we have a significant conservation voice for migratory birds and other habitats that live in wetlands that we helped create across the continent with our friends. Our work is always, I repeat always, scientifically based. We like to say that the motion and passion brings us to do what we do, but science and facts drive our decisions. I believe this bill is based on science and fact, and I think that that is the way we ought to be looking at things, and good governance comes from that.

Since enactment, NAWCA has accomplished measureable success in all 50 States. This program has conserved more than 27 and a half million acres across North America. Reauthorization of NAWCA is critical to build on this success and ensure the health of high quality wetlands in the United States.

Despite those successes, wetlands here in the U.S. are disappearing. The lower 48 States of the U.S. have lost approximately 53 percent of our original wetlands. The most recent nationwide study documented that wetland loss had dramatically accelerated to 140 percent since 2004.

Wildlife-related recreation generates, as has been said, nearly \$100 billion a year in economics for this Country. It is

more than just the right thing to do; it is the right economic thing to do.

Another part of this is the use of those interest funds to help with NAWCA projects. At a maximum level, they have contributed between \$15 million and \$16 million in a given year to help go out and put wetlands and other habitat on the ground. And as I said earlier, all of the States have agreed that this is a good use for the interest on funds that were originally directed to go to them.

Finally, the migratory game birds baiting issue, as Director of the Fish and Wildlife Service in a past life, one of the things that always concerned me was if a regulation is so confusing that the public doesn't understand it, then we are missing the mark. And the ultimate objective of law enforcement is to have the public voluntarily comply and carry out the law. If they don't understand it, it is going to be very difficult to do.

Today, many landowners have to simply call the game warden and say, will you come by and tell me if we are legal. If it is that hard to understand, then there needs to be clarity. We believe that this last aspect here in helping to understand what normal agricultural practices are, and including the State agencies as well as the Fish and Wildlife Service in that, is simply the right thing to do.

Mr. Chairman, thank you again for allowing us to testify in full support of this bill. We look forward to answering any questions that you may have.

[The prepared statement of Mr. Hall follows:]

Senator Sullivan. Great. Thank you, Mr. Hall. I couldn't agree more with your statement on the need for clarifying regulations.

Mr. Pacelle, you have five minutes for your opening statement. Thank you for being here.

STATEMENT OF WAYNE PACELLE, PRESIDENT AND CEO, THE HUMANE SOCIETY  
OF THE UNITED STATES

Mr. Pacelle. Thank you very much. Thanks for the invitation, I really appreciate it.

I am Wayne Pacelle, with The Humane Society of the United States. I hate to be a skunk at the party here. I do have a few concerns about this issue, and again, I really appreciate your allowing us to offer our perspective.

I want to say at the start that we are not opposed to hunting. We are not seeking to ban deer hunting or duck hunting or other very common forms of hunting. We have been critics of captive hunting. We have been critics of bear baiting, a practice that we think is reckless and unsporting.

So when we bring our concerns here today, we do so because we are zeroing in on particular concerns that are within this bill, not because of a general opposition to hunting.

We are glad, of course, that the lead ammunition provision applies more to EPA and not to Interior. Mr. Chairman, you mentioned that the Feds and the States would still have the authority to restrict that. We think that is appropriate and important.

We are just not quite sure why we are even discussing the EPA piece. We don't think the EPA is working on this issue. It is not moving on the issue. And I guess we are concerned about

the precedent being established of the Congress telling a Federal agency that clearly does have some germane experience that it can't take action on an issue if the science compels an examination.

So again, we are critics of the use of lead ammunition. Just like we have seen in society, we don't have lead in gasoline, we don't have lead in paint. The world is moving away from lead ammunition. We are moving to non-toxic forms of shot that essentially don't see bullets and ammunition continuing to kill long after they have left the chamber.

So I say that just as a general concern. I am not quite sure why we are focused here on EPA on this issue.

On the polar bear piece, I know, Senator Crapo, you have been concerned about this. And we are glad this doesn't involve why are polar bears being shot, and then being brought in. These animals are dead. We recognize that. They cannot be brought back to life. If it were just that issue, I don't think I would be here expressing concern. I think again, our concern really relates to the precedent. What happened with the polar bear issue is that the Fish and Wildlife Service gave appropriate notice to the sport hunting community that a listing for polar bears was coming. Many hunting groups told hunters, listen, if you go up and do this and you don't bring the trophies back by a date certain, you are unlikely to get these animals' carcasses

and the trophies back into the U.S.

These guys went up there anyway and shot the polar bears. Now we view it as a pleading to Congress to get these trophies back in.

Now, what happens when the Fish and Wildlife Service says, okay, we are going to list the African lion as threatened or endangered and we are going to restrict trophies? Are we going to see a mad runs of people going to kill these rare animals and then coming back to the Congress to override an executive agency decision to grant these import permits? If it were just polar bears and this class of 41 folks, while we don't like what they did, we think it is wrong what they did, we wouldn't be here objecting. I think we are deeply concerned about the precedent.

The larger issue of this bill, I think the biggest practical concern that we have is, you are talking about the Forest Service, principally, and you are talking about the BLM. The Federal Government cedes authority for wildlife management to the States in all of those jurisdictions on hunting seasons and the like. Ninety-nine percent of these lands are already open to hunting. We are not quite sure what is being accomplished by having this open and less closed provision. Except, and when we get a little bit paranoid on this is the issue of traffic.

There has been a lot of concern expressed by humane organizations about inhumane and indiscriminate forms of body-

gripping traps, steel jaw leg hold traps, snares and the like. This language, not before your committee today, but the other portion of this larger bill that was before Energy and Natural Resources, essentially equates trapping with these other forms of wildlife taking, hunting and fishing. We think this could be also a very dangerous provision to enable trapping activities in wilderness areas and other areas where there is an appropriate reason for the restriction.

If you have a firearm and you are shooting an animal, you are zeroing on the target. If you leave a trap in the woods, any animal can be victimized by that trap. We have likened them to land mines for wildlife. And there may be very compelling and appropriate reasons to restrict them, what we are doing is we are eliminating the discretion of local land managers with the Federal Government when the history of these particular agencies' involvement in hunting and fishing and trapping issues is to be entirely permissive.

So again, I think our criticisms, just to wrap up, really are zeroing in on, why are we doing these things? The lands are already open to hunting. And for the polar bears, let's not send a signal to the trophy-hunting community that if there is an endangered species listing looming, you guys go ahead and then the Congress can bail you out and you can bring your trophies back into the United States.

Thank you again for giving me the opportunity to testify.  
Much appreciated.

[The prepared statement of Mr. Pacelle follows:]

Senator Sullivan. Thank you, gentlemen. Thank you for your testimony. I now recognize myself for six minutes for questions.

Mr. Crane, in your written testimony you discuss the nearly \$7 billion in excise tax payments since the Pittman-Robertson program began. This is obviously a significant amount of money that goes directly to States to run their fish and game departments and to implement local conservation programs. In fact, some have suggested that this money had a direct impact on the recovery of populations such as the white-tailed deer, black bear and the American elk.

IF we do not clarify the law by enacting Section 2 of this legislation, what effect will that have on the conservation dollars paid under the Pittman-Robertson account and how will that affect overall State conservation programs?

Mr. Crane. Mr. Chairman, we are very proud of this uniquely American system. As you pointed out, it is a system of those of us who hunt and fish, the industries that manufacture this pay the taxes and everyone else benefits from it. Seven billion dollars is a lot of money even in this town. So we are very proud of the accomplishments that this system has.

By unnecessarily putting an agency that doesn't have the authority, doesn't have the ability, has declined to take these petitions in the past, and run that risk that somebody will petition this in the future and basically break this financial

model, I think we are going to do a tremendous disservice to conservation in America.

I would encourage this committee to leave this provision intact. I think that these issues are much better handled by the State wildlife agencies and those professionals that can deal with them when they rarely occur on a much more localized basis.

Senator Sullivan. So the Section 2 provisions, you are supportive of?

Mr. Crane. Yes, sir.

Senator Sullivan. Great. Let me continue with you, Mr. Crane. If a situation occurs where sound science irrefutably identifies a population impact from lead-based ammunition, as was the case with waterfowl, do you think that the government has a role to play in responding? And if so, what would be that kind of role?

Mr. Crane. I absolutely do. Again, I think the right agencies to handle that are the State wildlife management authorities and the U.S. Fish and Wildlife Service. Where these happen, they have the tools in their toolkit to be able to handle things like season length, like areas that they may have to temporarily close and other ways to address this.

There are no population-wide issues with lead contamination on any species in the United States, save maybe the California Condor, and that has a very long, long history and would take up

to much time talking about it.

Senator Sullivan. How about you, Mr. Hall, on that issue? I know you must have experience from your previous directorship at Fish and Wildlife.

Mr. Hall. I agree with that. I think if it is endemic, if it is all over the United States, and across the State boundaries, and we have an issue like we did with lead shot for waterfowl hunting, then there is a very appropriate role for the Federal agency to play. That has not come to bear in any science that I have seen dealing with lead since we shut down the use of lead shot for water fowling.

Therefore, I agree completely that a proper place to do that is where it is locally found. Condor might be an example in California, Arizona. Let the State agencies address it. That is the proper role of the State agencies. I would agree with that.

And if I might, I want to correct just a procedural point that Mr. Pacelle made. That is that we can't compare apples and oranges when we are talking bears and lions. Under the polar bear, it is a United States species. Therefore, it is protected in Alaska and other places. It is one of our species.

So when it was listed as threatened, it was listed as a domestic species, listed. If a lion were listed or some species that is not domestic to the United States, then it would go on the international list of threatened and endangered species. And

the U.S. Fish and Wildlife Service, particularly, would defer to the origin country from where the animal was coming on what rules they wanted us to implement. If they had permits from there, we would be able to let them come in.

Thank you for allowing me to clarify the procedure there.

Senator Sullivan. Sure. Let me ask a follow-up question with you. You talked about NAWCA and I mentioned in my opening statement about the private matching money that far exceeds the Federal investment. Help us explain, help some of my constituents to understand, if this is the case, why not shift all the funding to the private sector? What happens if there is no Federal investment? What should the responsibility of the U.S. taxpayer be in this regard, particularly, as I mentioned, in a time of very austere Federal budgets?

Mr. Hall. Thank you for that question. It is a legitimate question that the citizens need to really understand. When we look at the North American model of wildlife management and conservation that Jeff referred to a few minutes ago, that is a partnership. It goes back to Aldo Leopold's concept of the citizen conservationist. That is why we in the private sector are so willing to stand up and put money into the system.

But that needs to have the partnership of the Federal Government relaying that this is a United States value. Our natural resources are something important to us as a Country, us

as a people. And by this small token, really one quarter under NAWCA is what is spent by the Federal taxpayer. They get \$4 back for \$1 expended.

As we look at good governance, as we look at efficient governance, I can't think of a program that ever exemplifies the Federal taxpayer getting more back for the resource they own by Constitution and the management of those resources than something that gives them back a \$4 payoff for \$1 investment.

Senator Sullivan. Great. Thank you for that.

Senator Inhofe?

Senator Inhofe. Thank you, Mr. Chairman.

Before you start the clock, let me tell you how I am going to manage my six minutes. I do have two brief questions to ask, one of Mr. Crane and one of my good friend, Dale Hall. But then I have a longer question to ask our friend, Mr. Paccelle. So when I ask this question, I am going to ask you to be brief, if you don't mind.

First of all, Mr. Crane, I have to say this. In your opening statement, you talk about coming from a hunting family. Back when I enjoyed life, I never missed a day of goose season in Oklahoma. People don't realize we have one of the big flyways through there. In fact, I had the first 10-gauge full choke 36-inch double barrel shotgun. And people wondered how in the world I was getting them out further than anybody else.

But anyway, that is not my question. The question is, you heard the statement that Mr. Pacelle said about lead ammunition. What effect would it have if you left EPA in that regulatory position, for lead ammunition?

Mr. Crane. Again, Senator, a couple of points. First of all, I want to clarify that there are not readily available, widely available alternatives to lead. Ninety-five percent of current ammunition is lead or copper based.

Secondly, the price of that is probably four times or more should it be available. So while that may not be important to everyone in this room, for our rural folks back in Oklahoma, if their box of shotgun shells goes from \$25 to \$125, and they are trying to feed their families, I think that makes an impact.

And third, and finally, as was asked by the chairman, there is \$7 billion that has gone off the Pittman-Robertson excise tax to support conservation. You apply the same thing to the fishing side of the equation, then the alternatives to that are anywhere from 10 to 20 times more expensive. They don't work as well.

So we have a serious problem here. Let's leave it to the State fish and wildlife agencies.

Senator Inhofe. Thank you. You gave the same answer my son gave me.

Mr. Hall, I look back wistfully at the days when you were at the helm. Your partnership program just was a booming success.

It takes away this image that anything, that the government is there saying, we are doing it because the people don't want to take care of their own property. You did such a great job.

The question I have to ask you is, both NAWCA and the Pittman-Robertson need to be reauthorized in this bill. Can you real briefly explain the difference between the two and why they are both important?

Mr. Hall. Yes, sir, thank you. The North American Wetland Conservation Act was passed as the implementing tool for the North American Waterfowl Management Plan that was put together back in the 1980s. It is a standalone program to try and help restore and protect wetlands and grasslands and other waterfowl habitat in order to follow the North American Waterfowl Management Plan.

The Pittman-Robertson excise taxes go into separate grants to the States in order for them to help carry out their operations. This provision here simply for the interest that is gathered on those funds that are collected each year, and that interest has been designated to go into NAWCA so that it can go into making grants as well for wetlands and waterfowl and other habitat.

Senator Inhofe. I see. That is very interesting.

Mr. Pacelle, I have to say that I have had to change my mind twice since I saw you were going to be one of the witnesses. I

always thought of your group as being philosophically very liberal and on liberal causes and all that. Until I saw the ad shortly after our disaster, the tornado in Moore, Oklahoma, you had an ad, I think it is still running, and it shows the dogs out there, the pitiful dogs, that hit me hard. Because that is one of the things I do, is help with abandoned dogs and that type of thing.

So I was changing my feelings a little bit until I realized that our Attorney General, Scott Pruitt, has a lawsuit against you based on the fact that in the programs we have had, you have actually extracted, as a result, probably of that ad, I almost contributed myself, some \$1.7 million from Oklahomans. And in the same time frame that that money came in, only \$110,000 was donated to animal shelters and other institutions in my State of Oklahoma.

So Oklahomans paid you \$1.7 million and got back \$110,000. Is that true?

Mr. Pacelle. No, it is not true. I guess if that was a concern of yours, I am glad you have raised it in public, so that I can have an opportunity to address it.

Senator Inhofe. Stop there for a moment. Since you said it wasn't true, your general counsel, is it Roger Kindler?

Mr. Pacelle. Yes, he is general counsel.

Senator Inhofe. Roger Kindler, in those proceedings, and

this is a State court proceeding, a district court, he said, Mr. Kindler stated that between 2011 and 2013, donations from within Oklahoma totaled \$1,714,000. Of that total, only \$110,288 in grants came to Oklahoma organizations. Is he a liar?

Mr. Pacelle. Let me clarify. First, we did no fundraising on the Moore, Oklahoma tornado disaster.

Senator Inhofe. No, I said it was around that time frame.

Mr. Pacelle. Senator Inhofe, we do continuous promotional work and programmatic work. So we don't simply give grants to other organizations. Foundations are grant-making groups. Non-profit charities like The Humane Society of the United States conduct a wide range of programs. And our work is to protect all animals. So it is raiding dogfights, cockfights, supporting shelters. For instance, later this month, we have our annual Care Expo where shelter leaders throughout the Country come to get training. We do work on helping elephants, rhinos, turtles, which I know you are such a devotee of so many marine species of turtles. We run an animal rescue team. We go to Indian reservations.

Senator Inhofe. Okay, you do a variety of things.

Mr. Pacelle. The fact that a percentage of our money, which is, I think a great feature of our program, that we give grants to shelters, that is a sliver of the incredible work that we do to save millions and billions of animals in Oklahoma, in the

United States and throughout the world.

So Scott Pruitt has not filed a lawsuit against The Humane Society of the United States. He has been driven by the Farm Bureau to make inquiries. I am sure that when he looks at our fundraising materials, he will see that -

Senator Inhofe. But the figures that I used in terms of amounts of money coming back to organizations within my State of Oklahoma are accurate. Some 4 percent -

Mr. Pacelle. We are not a grant-making group, Senator Inhofe. The American Farm Bureau Federation doesn't just give grants to farmers. The American Farm Bureau Federation advocates for the interests of farmers. The Congressional Sportsmen's Caucus, the NRA does not just support shooting ranges.

Senator Inhofe. I understand. My time has expired. The only question I would ask you to respond to is, will you agree to give to Scott Pruitt all the information that he has asked?

Mr. Pacelle. We have given General Pruitt all the information about fundraising materials. We are entirely confident that he will see that we do exactly what we say we do. He wanted materials that were entirely unrelated to our issues. Then we sought to enjoin him and won in a State court on that issue.

He can have any materials. We are very transparent.

Mr. Sullivan. Mr. Pacelle, can you answer the question?

Mr. Pacelle. We gave him what he wanted and then for additional materials that he sought that were beyond the scope of what he said, he was denied by a court that information.

Senator Sullivan. Okay, so I am still not sure that is responsive to Senator Inhofe's question.

Mr. Pacelle. He asked if we would give the material to General Pruitt. And I said, yes, we gave him everything that was relevant and we didn't give him the stuff that was a fishing expedition.

Senator Sullivan. Okay.

Senator Inhofe. That is answered. Thank you.

Senator Sullivan. Senator Booker?

Senator Booker. Thank you, Mr. Chairman. I truly appreciate your calling this hearing.

Let me start out really quickly by complimenting my colleagues, Senators Heinreich and Murkowski, for coming together across the aisle. Lord knows we need more bipartisan work in the Senate.

Unfortunately, both the portion of this legislation that we are considering today and the larger Sportsmen's Bill contain multiple provisions which need to be modified or eliminated before I could support this bill.

Outdoor recreational activities play an important part in our economy. It is estimated that hunting, angling and

recreational shooting and trapping generate about \$90 billion of annual spending and Americans spend another \$550 billion on other outdoor recreational activities. The vast majority, as many as 90 percent or more of the recreational users of our Federal lands, use those lands for activities such as hiking, horseback riding, backpacking, camping, nature study and climbing. That is 90 percent of the use of our Federal lands.

We need to make sure that Congress is balancing the needs of all of our users of Federal lands, and that we are not passing legislation that would put some of our most vulnerable visitors to Federal lands, including our children, at serious, serious risk of harm.

As drafted, the Sportsmen's bill would prohibit the EPA from ever, ever regulating or even assessing the actual science of the human risk posed by lead bullets and lead shot. This is what we know about lead. Lead exposure is toxic to humans. The effects of lead poisoning can include kidney disease, damage to the central nervous system, nerve disorders and memory and concentrating problems. In large enough doses, lead can even cause brain damage, leading to seizures, coma and actually death.

Lead is especially dangerous for our young children. Childhood lead poisoning is even more pronounced because the lead is absorbed faster, causing slow growth, developmental defects, damage to the brain and nervous system and more.

I saw this in Newark first-hand, the devastating and challenging detrimental impacts of lead poisoning on our kids. It is a crisis. The toxicity of that crisis, of that entrance into the system, has already been reduced or eliminated in gasoline, plumbing, paint, pesticides, toys and other products. We seem to have got it in every other area of our society. But somehow, we are afraid to confront the realities of lead buckshot.

Every year, thousands of tons of lead are put into the environment from this lead ammunition, especially near shooting ranges and heavily-hunted sites. Let me repeat. Every year, thousands of tons of lead are put into our environment from lead ammunition. This lead is not only poisonous to our wildlife, it is estimated that as many as 20 million birds and other animals each year die from lead poisoning. Twenty million birds and animals.

But it also gets into our land, our waters, and it gets into our food supply. In addition, a Seattle Times investigation last year found that lead poisoning is a major health threat at America's shooting ranges. Mr. Chairman, I would like to ask that the Seattle Times investigation be entered into the record. Reading it is sickening. And the reality is, we know that there is lead poisoning going on. We know that these are threats to our environment.

Mr. Pacelle, given all that we know about the toxicity and dangers of lead, is there any reason that you are aware for why Congress should permanently, forever, ban the EPA from even assessing the risks posed to human health, almost as if we are afraid of science and knowing the truth? Is there any reason or justification for this whatsoever, Wayne?

Mr. Pacelle. I believe the Fish and Wildlife Service made the right call in 1991 when President George Bush was President, a Republican and a hunter, looking at the evidence, seeing that so many migratory birds and other animals were dying as a consequence of lead. The NRA and a number of other groups opposed that effort then.

Now I do think that the Interior Department is the most appropriate agency to look at this issue. That said, if there is tremendously compelling science and if EPA has toxicologists and others who have something to contribute, Senator Booker, I don't see the compelling rationale for the Congress to preclude EPA from making an examination.

I don't think that is happening now. I don't think EPA is chomping at the bit to do this. I think the debate is better placed in the States and within the Interior Department. But I don't understand this overreaction in terms of including this provision in this bill, when the EPA is not contemplating the issue right now.

Senator Booker. Right. But to prevent it from studying the issue, even knowing it in the future, as tons and tons of lead are introduced into our natural environment, consumed by animals, poisoning our children, to not even be able to study it seems to me ridiculous.

Mr. Pacelle. We would like to enter into the record a letter from 168 organizations, local, State and national, opposing that provision and others in this bill. There are 130 different species of wildlife that have been documented in the scientific literature that are poisoned as a consequence of lead ammunition being left in the environment.

And we understand the tradition of hunting in this Country. The fact is now, we have alternatives. We have non-toxic shot. We have other metals that are now much more competitive on price. So we are not talking about doing something that is going to entirely disrupt hunting. There was just a study from the Texas Parks and Wildlife Department about performance of lead versus other forms of shot with dove hunting. And the hunters couldn't tell the difference. It was basically a blind test.

Senator Booker. So there are alternatives that are less expensive. They do better in some cases for our hunters. But yet we seem to be afraid of doing what is just reasonable, studying the toxicity of this.

My time is expired. Hopefully we will get another round,

Wayne, because I am not done with you yet.

Senator Sullivan. Senator Crapo?

Senator Crapo. Thank you, Mr. Chairman. I appreciate your holding this important hearing on this Bipartisan Sportsmen's package that is within the EPW jurisdiction. Legislation I introduced to protect Americans' Second Amendment rights on lands managed by the U.S. Army Corps of Engineers is thankfully included in this important package.

According to the data compiled by the Congressional Research Service, the Corps is responsible for \$12 million acres of land and water, including 422 lake and river projects within recreation, 92,844 campsites, 7,700 miles of trails and 3,544 boat launches. While some Corps lands and waters are open for hunting, there are a small number of authorized shooting ranges. Much of the land managed by the Corps is off limits to lawful possession of firearms.

I wish Senator Whitehouse was still here, because he raised a concern about the fact that this would allow people to own and carry firearms at dams and other hydro facilities, where he thought there would be a concern. This legislation only allows that the possession of firearms in those places that are open to the public and specifically exempts the Federal facilities that I think Senator Whitehouse was talking about.

The fact here is that it is a clear Second Amendment right

that Americans should be allowed to exercise. Not only is this restriction a clear violation of the intent of the Second Amendment, but it is also inconsistent with the laws and regulations governing land that other Federal regulatory agencies implement.

Enabling Americans to carry firearms on land managed by the Corps will allow law-abiding citizens to protect themselves and to engage in the kinds of recreation we have already discussed here on lands and facilities designed for that. This change will also provide needed consistency across Federal lands that will reduce the complication of tracking where one Federal agency's management jurisdiction ends and another begins.

The Supreme Court in the District of Columbia v. Heller affirmed that the Second Amendment is an individual right and the right to an operable firearm for self-defense is one that Americans have. This right should apply on all lands managed by the Federal Government.

Moreover, a Federal district judge in my home State of Idaho agrees. In the case of Morris v. U.S. Army Corps of Engineers, brought by plaintiffs in Western Idaho who used Corps-managed land for recreation, including camping, the plaintiffs challenged the regulation as being unconstitutional and in violation of their Second Amendment rights. In October of last year, the Court found that the regulation was in fact unconstitutional and

banned the Corps policy, unfortunately, only in Idaho.

Burdening law-abiding citizens of this Country with the additional Second Amendment restrictions that this Corps is now implementing is not the answer to safeguarding the public. Americans' Second Amendment rights must be restored to lands managed by the Corps. My legislation included in this package does just that.

Now, Mr. Chairman, I do have a couple of questions and I hope I can get quickly through them. Mr. Crane, do onerous and confusing firearms regulations for public lands discourage sportsmen and their families from utilizing the land?

Mr. Crane. Yes, sir. Do you want me to expound on that?

Senator Crapo. Briefly. I am trying to be brief.

Mr. Crane. Yes, sir. And as you pointed out, in 2009, the National Park Service and the Wildlife Refuge System, there was legislation that was bipartisan that was passed that allowed carry on those.

The Army Corps lands are the last remaining lands. I think this is just consistent with making it easier and folks to understand where the lines are, as you pointed out. So, yes.

Senator Crapo. Thank you. Mr. Hall, I would like to follow up with you. Are your members unnecessarily burdened by the Corps' conflicting and confusing outright ban on firearms?

Mr. Hall. Our members are as concerned as Jeff's are on

what is legal and what is not. When you have the Federal Government, have different arms of the Federal Government have different rules dealing with Federal Government land, our citizens are never clear on what is allowed and not allowed.

I was the Director of the Fish and Wildlife Service when the Park Service issue came up. Although it wasn't mine, I worked with them on getting the legislation passed that you passed here that said that following State law is the proper thing to do.

I think any time that there are different rules on different public lands that are basically confusing to the public that it needs to be clarified.

Senator Crapo. Thank you, Mr. Hall. I was involved in 2009 when we had the Congressional fight to make this change in the law. At that time, all of the dire concerns and consequences were raised by those who object. Frankly, by those who don't like the see the Second Amendment family and fully implemented, in my opinion. And we haven't seen that kind of problem.

Another question for you, Mr. Hall. According to the Corps' own data, seven of the top ten migratory bird flyways in the United States cross over Corps-managed water. From a waterfowl hunting perspective, would you support a consistent approach to firearms possession across all Corps-managed land?

Mr. Hall. Absolutely. Our members and those that pay the bill and help to get out there a drink just a little bit of the

fruit of the vine that they helped grow the vineyard for deserve the right to understand and be able to use those waters.

Senator Crapo. I only have about 30 seconds left, but I understand that it is possible you may have an example of the kinds of things we are talking about, where a boat ramp might prohibit the possession of firearms, where a person is trying to put a boat in to go out to another place where firearm possession is allowed. Those kinds of restrictions are complicating the ability of Americans to freely utilize their Second Amendment rights in pursuit of hunting or other purposes.

Mr. Hall. I know we have some of those. But I want to be cautious and be accurate. If you would allow me, I will answer that question for the record after this is over with specific examples.

Senator Crapo. I would appreciate that. Thank you very much, Mr. Hall. I see my time is up, and thank you, Mr. Chairman.

Senator Sullivan. Senator Cardin?

Senator Cardin. Mr. Chairman, thank you very much. Thank you for chairing this hearing, it is very important.

I want to follow up on Senator Crapo's point first. It is good to have a bipartisan bill. I have some concerns about some of the provisions, but I do appreciate the manner in which this bill has been put together. It is a real effort to try to get

legislation to the finish line. We started this in the last Congress and we made progress. Many of these provisions have been worked on by both Democrats and Republicans, so I very much appreciate that.

There will be interest to see whether there are other areas that may not be in the original bill that we hope will get incorporated. Because quite frankly, we don't get too many bills to the finish line. I think we have a good chance to get this bill to the finish line.

So I want to follow up on Senator Crapo's point, because the two of us have worked together on a bill dealing with the national fish habitat conservation, a non-controversial bill that we would hope will be able to be included in the package. It allows for the partnership between State and local governments and the private organizations in order to deal with fish habitat issues, which are, we believe, the sensible way to go about doing this.

Mr. Crane, your organization has been part of these efforts dealing with fish habitat. I would like to get your assessment as to the importance of encouraging partnerships to deal with the fish habitat, specifically the bill that senator Crapo and I have been working on.

Mr. Crane. Thank you, Senator, and thank you for your leadership along with Senator Crapo on this important

legislation. We are supportive of it and we recognize the value of these partnership not unlike the North American Wetlands Conservation Act. As you pointed out, they leverage private funds. They go across States and effectively look at the conservation goals as a whole. We would be very supportive of working with you and if we can figure out a way that this enhances the bill and the chances for it to get those much-needed 60 votes, we would like to work with you.

Senator Cardin. Yes. Of course, our objective is to look at areas that do not cause additional concerns on the support. We think this is one of the categories. As you point out, what it basically does is leverage private sector involvement to protect our fish habitats, which is in everyone's interest. Some of the modifications that Senator Crapo and I made in the version this year deal with some of the technical concerns raised in the last Congress. We think we have hit the sweet spot. We look forward to talking to the committee about that.

I want to mention one other area that this committee has acted on in previous Congresses, basically without controversy, and that is neo-tropical bird issues, which deal with the fact that many of our bird species in this Country migrate as far away as down in South America. This is a bill that allows us to participate and protects the habitats of birds that we very much want to see in our community.

Again, I don't believe this is a controversial issue. It has been basically without opposition in this committee in the past. I hope that we will have a chance, Mr. Chairman, as we talk about putting together a bill, looking at those issues that truly are not controversial but give us a chance to make significant progress to protect habitats for beauty, for the economics, for the sportsmen and for all of us to enjoy for future generations.

I yield back my time.

Senator Sullivan. Senator Boozman?

Senator Boozman. Thank you, Mr. Chairman, and thank all of you for being here. We really do appreciate your testimony.

Mr. Hall, the bill contains a provision that the Arkansas delegation has worked on, been very active in writing and promoting. The provision helps clarify that farmers are allowed to engage in normal agricultural practices that have added the benefit of providing habitat for ducks. We have seen a lot of misinformation surrounding the important element of the bill.

In your testimony you stated that conservationists have established population-based waterfowl habitat goals that depend on the presence of rice agriculture on landscape. The growth of a second crop of rice is normal agricultural practice. I guess the question is, really a couple of things, does this normal agricultural practice enhance winter waterfowl foraging habitat?

And secondly, would you say that the bill provides a win-win for both farmers and for migratory game birds in that regard?

Mr. Hall. The answer, simple answer is absolutely. What we need to recognize first, and if I may say so as part of the record, with the loss of wetlands that we have had here in the United States, when the wintering habitat comes into question, rice has become a surrogate wetland in order to support those waterfowl populations.

We are at the highest level of nest productivity and nesting waterfowl since we have been taking records in 1955. Yet we have lost so much of the native habitat. The reason we have been able to do that is we have taken advantage of our partnership with agriculture, whether it is winter wheat in the north for nesting, or whether it is rice in the south and west for wintering habitat. In your particular question dealing with the Gulf Coast joint venture, they have actually put 41 percent of the food requirements to be coming from rice. This second ratoon crop is critical.

The rules, as they are stated now, and it is not ever where the ratoon crop comes in, where they grow rice, but in the south it happens that the second one naturally comes in after the harvest. Well, the rules of harvest kick in because you have manipulated the ground. So by causing the farmer to choose between taking care of waterfowl and making additional money on

being able to lease out hunting facilities, and we are strong supporters of that, because that brings additional economic value and support for waterfowl management and conservation. To make them choose, we believe, is an absolutely unnecessary question. It is not about the abandonment of fair chase. It is about managing the resources with the regional conservation agricultural practices that are normal. And they do vary from region to region. Therefore, we support this provision.

Senator Boozman. Good. Thank you very much, Mr. Hall.

I would like to yield a minute to Senator Inhofe, if that is okay.

Senator Sullivan. Without objection.

Senator Inhofe. Thirty seconds of your time. I want to get to Senator Fischer, because our votes have started.

But for clarification purposes, Mr. Pacelle, when I asked the question about the very effective ad you had, implying that that is going to animal shelters and other places, and that you have raised from my citizens in Oklahoma over \$1.7 million, and the total amount that has come back for organizations within Oklahoma from you was \$110,000, and you said no, that wasn't true, and I read you the following statement, your general counsel said that between 2011 and 2013, donations from within Oklahoma totaled some \$1.7 million. Of that total, only about \$110,000 in grants to Oklahoma came to Oklahoma organizations.

Now, is that statement correct?

Mr. Pacelle. The statement is correct.

Senator Inhofe. Mr. Chairman, I only want a yes or no, because we have votes.

Mr. Pacelle. Those ads say that we are not giving the money to animal shelters. The presumption that somehow the ads say we are giving money to shelters is a false presumption.

Senator Inhofe. They are very effective ads to get \$1.7 million out of Oklahoma.

Mr. Pacelle. There is language that says it is not going to local animal shelters. Explicit language. We do all animals. And we do it outside of shelters and inside of shelters.

Senator Sullivan. Mr. Pacelle, do you want to take the opportunity to answer that yes or no?

Mr. Pacelle. It doesn't lend itself readily to a yes or no answer. The answer is \$110,000, if that is what Roger Kindler said in terms of grants to societies in Oklahoma, I am sure that is true. We do so much more outside of the shelters in Oklahoma to help animals.

Senator Sullivan. Senator Fischer?

Senator Fischer. Thank you, Mr. Chairman.

I am proud to be a vice chair of the Congressional Sportsmen's Caucus. And I am very happy to be a co-sponsor of the Bipartisan Sportsmen's Act.

A priority that I would like to work on as we consider this legislation is addressing duplicative permitting of pesticides under FIFRA and the Clean Water Act. This duplicative process creates unnecessary resource burdens and challenges for pesticide registrants and users, including the sportsmen community.

Pesticides are actually critical for outdoor recreation, enabling healthy habitats and ecosystems to thrive, while suppressing vector-borne diseases such as the West Nile virus, which threaten outdoor activity of all kinds. Eliminating harmful and invasive pests is critical to vegetation and management. The U.S. State agencies have testified that these FIFRA permitting requirements offer no additional environmental benefits.

While the House acted on legislation to address this problem in both the 112<sup>th</sup> and 113<sup>th</sup> Congress, and is already taking action, this year the Senate has yet to address this issue. It is time for this committee and the U.S. Senate to act. So I look forward to working with my colleagues on exploring opportunities to accomplish this goal as we move forward to debate this bill.

Mr. Crane, I am very grateful for the work of the Sportsmen's Caucus in developing this important legislation. Thank you very much. It has been a pleasure to be involved with the Caucus.

For the benefit of everyone here, can you please talk about

the work that went into putting together this bill, both the bipartisan cooperation in the Caucus and the Senate, and also the collaboration that we have seen from all of the organizations and partners that are out there in the sportsmen's community?

Mr. Crane. Yes, Senator. Thank you for your leadership on this.

This process started probably more than six years ago. Senator Tester from Montana was the Democratic co-chair of the Caucus. We attempted to assemble in the Senate for the first time a comprehensive Sportsmen's Act. In successive Congresses, it has gotten closer to passage. SO I hope this is going to be the year.

The House has passed similar legislation on a bipartisan basis in the last two Congresses. So again, I hope this is going to be our year. I did in my opening statement hold forth a letter from all the leading sportsmen, hunting, fishing, conservation groups, endorsing the parent bill, S. 405. Again, thank you for your leadership on that.

Senator Fischer. Thank you, sir. I can tell you, with really the great bipartisan support we have, this should be the year that this passes.

In your testimony you discuss the modifications of definition of sport fishing equipment under the Toxic Substances Control Act. Can you please go into further detail on the

potential implications? We see there are anti-hunting and fishing citizen suits that force EPA to expand that TSCA authority to regulations of our ammunition and our tackle as well.

Mr. Crane. Yes, Senator, and if you will permit me about 15 seconds, I would like to point out, there is a difference between elemental lead, which is on the periodic table. Lead is an inert substance that is found in the earth in molecular lead, which is what is transformed and used in paints and gasoline and things like that. The molecular lead is highly toxic. That was a statement that I would just like to put for the record.

But the definition of fishing tackle under the IRS code basically would involve every single piece, from a fishing rod to a fishing reel to all the terminal tackle. It would basically, if they were successful in being able to push back and put restrictions on lead, you would be going back to the days of Tom Sawyer with a cane pole and a piece of monofilament line. The attendant monies that are raised through the Wallop-Breaux excise taxes on fishing equipment, it would be devastating to the conservation and economy of the United States.

Senator Fischer. So it would have really a very harmful impact, not just on the recreation industry but on our conservation practices as well?

Mr. Crane. This is where the lion's share of the money

comes from.

Senator Fisher. Thank you. Mr. Crane and Mr. Hall, you have heard Mr. Pacelle try to defend HSUS's positions here this morning. I would like to give you an opportunity to respond to any of those statements, detailing, I think, his organization's stance on hunting and what impact his organization has on the sportsmen's community.

Mr. Crane. I will be happy to do that. I would like to focus on the polar bear, but in my opinion and being around in this industry, I am not so sure I take at face value that The Human Society of the United States does not oppose hunting. But I think that is a debate maybe for another time.

In his testimony on the polar bear, he pointed out that when the Service was proposing the listing that people rushed up there to shoot these bears. First of all, you have to book these hunts well in advance. There is a significant deposit that is required for these animals. So the idea that somebody rushed up there is erroneous.

Secondly, usually, and I will defer to the former Director of the Service, but usually there is a minimum of a 30-day period after a listing occurs to allow people to bring them back in. A judge in California ordered that this would have immediate effect. And it caught these people in a catch-22 position up there. They were victims of something that they don't deserve.

This is just seeking justice for those people.

Senator Fischer. Mr. Hall, do you have any comments?

Mr. Hall. I would simply echo that I agree with Mr. Crane. It is not my experience that HSUS runs out and supports hunting. They may not oppose it, and I am not going to question that; he is going to give his own testimony. But at the same time, we are concerned often with tactics that we think are less than above-board on trying to portray hunting as something of a blood sport and not giving the proper credit back to the people that actually pay for those animals to be there.

Senator Fischer. Thank you. Thank you, Mr. Chairman.

Senator Sullivan. Thank you.

We are going to move into a second round of questioning, but we have a vote pending here, so we are going to limit that to two minutes each.

I will begin. Mr. Pacelle, I didn't have a chance to ask you any questions, so I am going to ask one. There was a lot of discussion on lead and its impacts. But importantly, there are 20 million hunters in the U.S. whose families eat game, rely on game, harvest it with traditional ammunition. Can you tell us the percentage of the 20 million families who have gotten lead or get poisoning as a direct result of eating game meat?

Mr. Pacelle. Mr. Chairman, according to the fish and Wildlife Service, there are about 13 million hunters. I am not

sure how many hunting families that translates into. We are not contesting the tradition of hunting. If someone is killing a deer and eating a deer, that is arguably a better outcome for the animal than if someone gets meat from a factory farm.

So we have on our national council a life-long hunter, Renee Tatro, from Kansas. It is not a debate for us about hunting.

If you are talking about lead, there is abundant evidence that as lead ammunition fragments, it becomes undetectable for the consumer of the product. There is a study out of North Dakota, I would be happy to submit it, about high lead levels in game meat that has been consumed by North Dakota hunters. There have been a number of other food pantries and others that have raised concerns about this issue as well.

Again, I understand the tradition of hunting. The issue is, if we have an alternative that is increasingly competitive on price and meets all the ballistic properties that lead has, and is indistinguishable, according to this latest survey from dove hunters in Texas, why would we not make a switch if we can do something that is not going to kill as many animals and threaten as many hunting families in terms of consumption? Again, if we can shift to that.

The world changes all the time. We went from the typewriter to the personal computer. The world is going to move away from lead. The question is, are we going to do it in a rational,

science-based way? That is what we want. I am not sure it is rational to say, EPA should never be allowed to look at the issue.

Senator Sullivan. Thank you.

Senator Booker?

Senator Booker. Mr. Pacelle, this is a speed round, so I am going to ask you one question and ask that you submit that for the record, then I am going to give you a question to take for my 60 seconds left.

I have a serious concern about trapping. It is something that I know other countries have banned specific types of traps, because of their inhumane nature, body-gripping traps, specifically, and accidents that happen with body-gripping traps, the unintended consequences of body-gripping traps. So I would appreciate it if you could submit to the record some of your testimony on that. I think it would be objectionable to the overwhelming majority of Americans if they knew more of the truth of what those traps do and how this legislation would open up nearly all Federal lands to such a barbaric practice that has some pretty negative consequences that are unintended.

But a specific question I want to ask you, because I saw the sort of grilling that you were taking from my honorable colleague and a partner of mine on many efforts, I know you are a non-profit. In the world of non-profits, where some of them are

involved in some skeptical practices, yours is actually pretty amazing in terms of the return it gives to the donors, whether it is Oklahoma or New Jersey. I know you get lots of donations from New Jersey.

So for the record, to give you the last 30 seconds I have, would you expound a little bit about donors in Oklahoma and New Jersey and what they are getting for the money they are investing?

Mr. Pacelle. Thank you, Senator Booker. Briefly on that tissue, The Humane Society of the United States is about protecting all animals. We are the number one direct care provider to animals in the United States in terms of the number of animals that we directly touch. We are the largest wildlife rehab center in the U.S. Again, we see the toxic effects of lead on some of those animals who come into our facility as a consequence of lead poisoning.

We have equine sanctuaries. We have an animal rescue team. We help tens of thousands of street dogs throughout the world, which is a public health issue as well, because of rabies-related concerns.

We do advocacy work for horses, for farm animals, for animals in laboratories, for wildlife. And for anyone to say that The Humane Society of the United States should just give money to shelters as a grant-making exercise so narrow the

mission and focus of our work, and it is never anything that we ever said.

Senator Booker. The Chairman is my friend and I don't want to tread upon his patience.

Mr. Pacelle. Thank you for asking. I appreciate the opportunity to clarify.

Senator Sullivan. Thank you, gentlemen. Thank you for your testimony. All the materials requested to be entered into the record are hereby done so without objection.

[The referenced materials follow:]

Senator Sullivan. The subcommittee hearing on the Bipartisan Sportsmen's Act of 2015 is hereby adjourned. Thank you again.

[Whereupon, at 11:19 a.m., the hearing was adjourned.]