



CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

February 3, 2014

H.R. 3590 **SHARE Act of 2013**

As introduced on November 21, 2013

H.R. 3590 would establish or amend certain laws related to the use of firearms and other recreational activities on federal lands. The bill also would authorize the U.S. Fish and Wildlife Service (USFWS) to permanently allow any state to provide hunting and conservation stamps for migratory birds (referred to as federal duck stamps). In addition, the bill would require the Secretaries of the Interior and Agriculture to charge an annual permit fee for small crews that conduct commercial filming activities on certain federal lands. Finally, the bill would require the Secretary of the Interior to issue permits to certain hunters seeking to import polar bear remains from Canada.

Based on information provided by the affected agencies, CBO estimates that implementing H.R. 3590 would have no significant net impact on the federal budget. Enacting the legislation would affect direct spending and revenues; therefore, pay-as-you-go procedures apply. However, CBO estimates that the net budgetary effects would not be significant in any year.

H.R. 3590 contains no intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA).

H.R. 3590 would impose a private-sector mandate as defined in UMRA by eliminating an individual's existing right to seek compensation from the federal government for damages occurring at a public target range supported by federal funds. The cost of the mandate would be the forgone value of awards and settlements in such claims. Information from the Department of the Interior indicates that few, if any, of those types of lawsuits are brought against the U.S. government. Because such claims would probably continue to be uncommon in the future, CBO estimates that the cost of the mandate would be small and fall well below the annual threshold established in UMRA for private-sector mandates (\$152 million in 2014, adjusted annually for inflation).

Pittman-Robertson Grants

Title II of H.R. 3590 would allow states to use grants awarded under the Pittman-Robertson Wildlife Restoration Act to fund up to 90 percent of the cost of building or operating public target ranges. Under that act, half of all federal excise taxes collected on pistols, revolvers, bows, arrows, and archery accessories are apportioned to states as grants for hunter education programs and for the construction and development of target ranges. Funds awarded under that act currently can be used to cover 75 percent of the costs of such programs. Because the provision of title II authorizing federal funds to be used for up to 90 percent of such costs would not affect the total amount of Pittman-Robertson funds that could be spent, CBO estimates that enacting this provision would have no significant effect on the federal budget.

Title II also would allow states to retain their shares of Pittman-Robertson funds for up to five years to acquire or construct target ranges. After five years, those funds would be reapportioned for other uses by the Secretary of the Interior. Because, under current law, any such funds that are not spent in two years are reapportioned and spent on other activities, CBO estimates that implementing this provision would have no significant net impact on the federal budget.

Finally, title II would limit the federal government's liability for certain incidents that occur on target ranges that are either constructed with Pittman-Robertson funds or located on federal lands. Federal payments resulting from such lawsuits appear to be minimal, and we estimate that this provision would have a minor effect on the federal budget over the next 10 years.

Fees for Commercial Filming

Title III would require the Secretaries of the Interior and Agriculture to charge a permit fee of \$200 a year for crews of five persons or fewer that conduct commercial filming activities on certain federal lands. Under current law, some of the affected agencies collect fees for those activities and additional amounts to recover any costs the agencies incur in administering such activities. Those agencies are authorized to spend those amounts without further appropriation. CBO expects that, under title III, certain film crews would pay less than the amounts required under current law and others would pay more. However, because the affected agencies would have the authority to spend any proceeds from fees established under title III, we estimate that enacting this title would have a negligible net impact on direct spending.

Permits to Import Polar Bear Remains

Title IV would require the Secretary of the Interior to issue permits to certain hunters seeking to import polar bear remains from Canada. Under title IV, only hunters who submit applications for permits to import remains that were acquired prior to May 15, 2008, the date the polar bear was listed as a threatened species under the Endangered Species Act, would be eligible to receive a permit. Based on information from the USFWS, CBO estimates that processing and issuing the roughly 40 permits that would be affected by title IV would have a negligible impact on the federal budget.

Duck Stamps

Title V would authorize the USFWS to permanently allow any state to provide duck stamps electronically. The electronic stamps would remain valid for 45 days to allow for the physical stamps to arrive in the mail. A pilot program that authorized a limited number of states to issue electronic stamps expired in 2010, although the USFWS has continued the program under other authorities. Under current law, amounts collected from the sale of duck stamps are deposited in the Migratory Bird Conservation Fund and are available to be spent without further appropriation for waterfowl conservation projects. CBO estimates that the net effects of enacting title V would be insignificant for each year and over the 2014-2023 period because the provision would not have a significant impact on the number of federal duck stamps purchased.

Advisory Committee

Title VII would establish a committee to advise the Secretaries of the Interior and Agriculture on issues related to wildlife conservation and hunting. Title VII also would abolish the Wildlife and Hunting Heritage Conservation Council (WHHCC), an existing body that performs similar activities to those that would be performed by the committee established under the bill. CBO estimates that implementing title VII would have no significant net impact on the federal budget.

Based on information provided by the USFWS regarding the costs of administering the WHHCC, CBO estimates that administering the advisory committee established under title VII would cost roughly \$300,000 a year, assuming appropriation of the necessary amounts. Those funds would be used to hire a full-time employee to handle administrative duties for the committee and to reimburse members of the committee for travel and lodging expenses related to committee activities. CBO also estimates that any costs associated with administering the committee would be offset by reductions in spending subject to appropriation to fund activities of the WHHCC, which would be abolished under title VII.

Access to Federal Lands for Recreational Purposes

Title VIII would require federal land management agencies to provide access to certain federal lands for hunting, fishing, and recreational shooting activities. Title VIII also would require those agencies to prepare annual reports identifying lands that have been closed to such activities. Based on information provided by the affected agencies, CBO estimates that implementing those provisions would have no significant impact on the federal budget.

Because the Bureau of Land Management, the Forest Service, and other land management agencies have the authority to allow hunting, fishing, and recreational shooting on lands under their jurisdictions, CBO expects that implementing title VIII would not significantly affect agency operations. In addition, the activities necessary to complete the annual reports required under title VIII are similar to activities performed by the affected agencies under current law. Therefore, we estimate that implementing those provisions would have no significant impact on the budgets of the affected agencies.

Staff Contacts

The CBO staff contacts for this estimate are Jeff LaFave (for federal costs) and Amy Petz (for the private-sector impact). The estimate was approved by Theresa Gullo, Deputy Assistant Director for Budget Analysis.