

PROTECTING ACCESS FOR HUNTERS AND ANGLERS ACT

BACKGROUND

The firearm and ammunition industry has long-supported wildlife and habitat conservation. In fact, Pittman-Robertson funds are derived from an excise tax paid by firearms and ammunition manufacturers. The excise tax is set at 11% of the wholesale price for long guns and ammunition and 10% of the wholesale price for handguns. Since 1937, firearm and ammunition manufacturers have paid over \$27 billion in inflation-adjusted dollars for conservation, safety education programs, and construction and improvement of public recreational shooting ranges. Recreational shooting is tied to approximately 85% of the Pittman-Robertson excise taxes. This means today's recreational target shooter is an overwhelming contributor to conservation through excise tax support. In addition, a survey conducted by Responsive Management, in partnership with the Southeastern Association of Fish and Wildlife Agencies (SEAFWA), found that 86% of gun owners and recreational target shooters who

- The Protecting Access for Hunters and Anglers Act (H.R.615 / S.1185) would prohibit the Secretaries of Agriculture and the Interior from banning traditional ammunition or fishing tackle on certain Federal lands and waters unless certain criteria are met.
- In 2022, USFWS published a final rule that while expanding access to hunting and fishing at certain wildlife refuges also prohibits the use of traditional lead ammunition and fishing tackle.
- A ban on traditional ammunition will have a detrimental impact on conservation and result in increased costs to hunters and recreational shooters. The federal excise tax that manufacturers pay on the sale of the ammunition (11 percent) is a primary source of wildlife conservation funding. The higher cost of alternative ammunition will price everyday consumers out of the market.

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PROTECTING ACCESS FOR HUNTERS AND ANGLERS ACT

The Protecting Access for Hunters and Anglers Act (H.R.615 / S.1185), introduced by Congressman Rob Wittman (R-VA) and Senator Steve Daines (R-MT), respectively, would prohibit the Secretaries of Agriculture and the Interior from banning traditional ammunition or tackle on certain Federal lands and waters absent field data

delineating a science-based nexus to a wildlife species population decline. The legislation would require that any prohibition or regulation be consistent with the law of the State and applicable policy of the State fish and wildlife department in which the specific Federal land or water is located and approved by the respective State fish and wildlife department. The bill would also require a notice in the Federal Register explaining how the prohibition or regulations meets the bill's requirements.

H.R.615 was adopted by House Natural Resources on June 21, 2023, and a similar and related provision was included in H.R.4821, the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2024, which passed the House in November 2023, but was not included in the final conference report.

In November 2021, the Center

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for Biological Diversity (CBD) sued the U.S. Fish and Wildlife Service (USFWS) in federal court in Montana over the use of traditional ammunition on over 3 million acres of federal lands. The USFWS immediately entered secret settlement discussions with CBD, and in 2022, USFWS published a final rule that while expanding access to hunting and fishing at certain wildlife refuges also prohibits the use of traditional lead ammunition and fishing tackle. This final rule is devoid of any scientific evidence of a detrimental wildlife population impacts or human health risk. As stated in the House Natural Resources Committee Report accompanying H.R.615, “Also

included in the settlement were USFWS promises to expand lead ammunition bans as a part of the 2023-2024 annual rule governing management of the System,” which USFWS have followed through on, including, “proposing to ban the use of lead ammunition and tackle by 2026 in seven specified national wildlife refuge (NWR) areas: Blackwater NWR in Maryland, Eastern Neck NWR Maryland, Erie NWR in Pennsylvania, Great Thicket NWR in Maine, Patuxent Research Refuge in Maryland, Rachel Carson NWR in Maine and Wallops Island NWR in Virginia. In addition, lead ammunition, but not tackle, would be banned in the Chincoteague NWR in Virginia and Maryland.”

Approximately 95% of all ammunition contains lead components. Therefore, a ban on traditional ammunition will have a detrimental impact on conservation and result in increased costs to hunters and recreational shooters. Absent sound scientifically proven necessity, there is no justification for restricting or banning traditional ammunition and lead tackle and using federal taxpayer dollars to pursue an anti-gun / anti-hunting agenda. Hunters, anglers, and recreational shooters should be able to choose the ammunition and tackle that best meets their needs, which could include alternative non-lead ammunition.

NSSF[®]
***The Firearm Industry
Trade Association***