

118TH CONGRESS
1ST SESSION

S. 1185

To prohibit the Secretary of the Interior and the Secretary of Agriculture from prohibiting the use of lead ammunition or tackle on certain Federal land or water under the jurisdiction of the Secretary of the Interior and the Secretary of Agriculture, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 18, 2023

Mr. DAINES (for himself, Mr. BOOZMAN, Mr. BRAUN, Mr. WICKER, Mr. RISCH, Mr. CRAPO, Mrs. HYDE-SMITH, Mr. TILLIS, Mr. MARSHALL, Ms. LUMMIS, Mr. SCOTT of Florida, Mr. BARRASSO, Mr. RICKETTS, Mr. CRAMER, Mr. MULLIN, Mr. HOEVEN, Mr. SULLIVAN, Mrs. FISCHER, Mr. COTTON, Mr. THUNE, Mr. BUDD, Mrs. CAPITO, Mr. ROUNDS, Mr. HAWLEY, and Mr. TUBERVILLE) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To prohibit the Secretary of the Interior and the Secretary of Agriculture from prohibiting the use of lead ammunition or tackle on certain Federal land or water under the jurisdiction of the Secretary of the Interior and the Secretary of Agriculture, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Protecting Access for
3 Hunters and Anglers Act of 2023”.

4 **SEC. 2. PROTECTING ACCESS FOR HUNTERS AND ANGLERS**
5 **ON FEDERAL LAND AND WATER.**

6 (a) IN GENERAL.—Except as provided in section
7 20.21 or 20.108 of title 50, Code of Federal Regulations
8 (as in effect on the date of enactment of this Act), and
9 subsection (b), the Secretary of the Interior, acting
10 through the Director of the United States Fish and Wild-
11 life Service or the Director of the Bureau of Land Man-
12 agement, and the Secretary of Agriculture, acting through
13 the Chief of the Forest Service (referred to in this section
14 as the “applicable Secretary”), may not—

15 (1) prohibit the use of lead ammunition or tack-
16 le on Federal land or water that is—

17 (A) under the jurisdiction of the applicable
18 Secretary; and

19 (B) made available for hunting or fishing
20 activities; or

21 (2) issue regulations relating to the level of lead
22 in ammunition or tackle to be used on Federal land
23 or water described in paragraph (1).

24 (b) EXCEPTION.—Subsection (a) shall not apply to
25 a prohibition or regulations described in that subsection

1 that are limited to a specific unit of Federal land or water,
2 if the applicable Secretary determines that—

3 (1) a decline in wildlife population at the spe-
4 cific unit of Federal land or water is primarily
5 caused by the use of lead in ammunition or tackle,
6 based on the field data from the specific unit of Fed-
7 eral land or water; and

8 (2) the prohibition or regulations, as applicable,
9 are—

10 (A) consistent with the law of the State in
11 which the specific Federal land or water is lo-
12 cated;

13 (B) consistent with an applicable policy of
14 the fish and wildlife department of the State in
15 which the specific Federal land or water is lo-
16 cated; or

17 (C) approved by the applicable fish and
18 wildlife department of the State in which the
19 specific Federal land or water is located.

20 (c) FEDERAL REGISTER NOTICE.—The applicable
21 Secretary shall include in a Federal Register notice with
22 respect to any prohibition or regulations that meet the re-
23 quirements of paragraphs (1) and (2) of subsection (b)

- 1 an explanation of how the prohibition or regulations, as
- 2 applicable, meet those requirements.

