

## REFERENCES IN TEXT

Executive Order 12962, referred to in subsec. (a), is Ex. Ord. No. 12962, June 7, 1995, 60 F.R. 30769, which is set out as a note under section 1801 of this title.

Executive Order 13443, referred to in subsec. (a), is Ex. Ord. No. 13443, Aug. 16, 2007, 72 F.R. 46537, which is set out as a note under section 661 of this title.

This title, referred to in subsec. (b), means title IV of Pub. L. 116-9, Mar. 12, 2019, 133 Stat. 756, which enacted this chapter and amended section 704 of this title, section 504 of Title 5, Government Organization and Employees, section 2412 of Title 28, Judiciary and Judicial Procedure, and section 1304 of Title 31, Money and Finance. For complete classification of title IV to the Code, see Tables.

## SUBCHAPTER II—SPORTSMEN'S ACCESS TO FEDERAL LAND

**§ 7911. Definitions**

In this subchapter:

**(1) Federal land**

The term “Federal land” means—

(A) any land in the National Forest System (as defined in section 1609(a) of this title) that is administered by the Secretary of Agriculture, acting through the Chief of the Forest Service; and

(B) public lands (as defined in section 1702 of title 43), the surface of which is administered by the Secretary, acting through the Director of the Bureau of Land Management.

**(2) Secretary concerned**

The term “Secretary concerned” means—

(A) the Secretary of Agriculture, with respect to land described in paragraph (1)(A); and

(B) the Secretary, with respect to land described in paragraph (1)(B).

(Pub. L. 116-9, title IV, §4101, Mar. 12, 2019, 133 Stat. 757.)

## DEFINITION OF “SECRETARY”

Secretary means the Secretary of the Interior, see section 2 of Pub. L. 116-9, set out as a note under section 1 of this title.

**§ 7912. Federal land open to hunting, fishing, and recreational shooting****(a) In general**

Subject to subsection (b), Federal land shall be open to hunting, fishing, and recreational shooting, in accordance with applicable law, unless the Secretary concerned closes an area in accordance with section 7913 of this title.

**(b) Effect of part**

Nothing in this subchapter opens to hunting, fishing, or recreational shooting any land that is not open to those activities as of March 12, 2019.

(Pub. L. 116-9, title IV, §4102, Mar. 12, 2019, 133 Stat. 757.)

**§ 7913. Closure of Federal land to hunting, fishing, and recreational shooting****(a) Authorization****(1) In general**

Subject to paragraph (2) and in accordance with section 1732(b) of title 43, the Secretary

concerned may designate any area on Federal land in which, and establish any period during which, for reasons of public safety, administration, or compliance with applicable laws, no hunting, fishing, or recreational shooting shall be permitted.

**(2) Requirement**

In making a designation under paragraph (1), the Secretary concerned shall designate the smallest area for the least amount of time that is required for public safety, administration, or compliance with applicable laws.

**(b) Closure procedures****(1) In general**

Except in an emergency, before permanently or temporarily closing any Federal land to hunting, fishing, or recreational shooting, the Secretary concerned shall—

(A) consult with State fish and wildlife agencies; and

(B) provide public notice and opportunity for comment under paragraph (2).

**(2) Public notice and comment****(A) In general**

Public notice and comment shall include—

(i) a notice of intent—

(I) published in advance of the public comment period for the closure—

(aa) in the Federal Register;

(bb) on the website of the applicable Federal agency;

(cc) on the website of the Federal land unit, if available; and

(dd) in at least 1 local newspaper;

(II) made available in advance of the public comment period to local offices, chapters, and affiliate organizations in the vicinity of the closure that are signatories to the memorandum of understanding entitled “Federal Lands Hunting, Fishing, and Shooting Sports Roundtable Memorandum of Understanding”; and

(III) that describes—

(aa) the proposed closure; and

(bb) the justification for the proposed closure, including an explanation of the reasons and necessity for the decision to close the area to hunting, fishing, or recreational shooting; and

(ii) an opportunity for public comment for a period of—

(I) not less than 60 days for a permanent closure; or

(II) not less than 30 days for a temporary closure.

**(B) Final decision**

In a final decision to permanently or temporarily close an area to hunting, fishing, or recreation<sup>1</sup> shooting, the Secretary concerned shall—

(i) respond in a reasoned manner to the comments received;

(ii) explain how the Secretary concerned resolved any significant issues raised by the comments; and

<sup>1</sup> So in original. Probably should be “recreational”.