

(ii) the percentage of Federal land in each State closed under this section with respect to hunting, fishing, and recreational shooting.

(e) Application

This section shall not apply if the closure is—

- (1) less than 14 days in duration; and
- (2) covered by a special use permit.

(Pub. L. 116–9, title IV, §4103, Mar. 12, 2019, 133 Stat. 757.)

§ 7914. Shooting ranges

(a) In general

Except as provided in subsection (b), the Secretary concerned may, in accordance with this section and other applicable law, lease or permit the use of Federal land for a shooting range.

(b) Exception

The Secretary concerned shall not lease or permit the use of Federal land for a shooting range within—

- (1) a component of the National Landscape Conservation System;
- (2) a component of the National Wilderness Preservation System;
- (3) any area that is—
 - (A) designated as a wilderness study area;
 - (B) administratively classified as—
 - (i) wilderness-eligible; or
 - (ii) wilderness-suitable; or
 - (C) a primitive or semiprimitive area;
- (4) a national monument, national volcanic monument, or national scenic area; or
- (5) a component of the National Wild and Scenic Rivers System (including areas designated for study for potential addition to the National Wild and Scenic Rivers System).

(Pub. L. 116–9, title IV, §4104, Mar. 12, 2019, 133 Stat. 759.)

§ 7915. Identifying opportunities for recreation, hunting, and fishing on Federal land

(a) Definitions

In this section:

(1) Secretary

The term “Secretary” means—

- (A) the Secretary, with respect to land administered by—
- (i) the Director of the National Park Service;
 - (ii) the Director of the United States Fish and Wildlife Service; and
 - (iii) the Director of the Bureau of Land Management; and
- (B) the Secretary of Agriculture, with respect to land administered by the Chief of the Forest Service.

(2) State or regional office

The term “State or regional office” means—

- (A) a State office of the Bureau of Land Management; or
- (B) a regional office of—
- (i) the National Park Service;
 - (ii) the United States Fish and Wildlife Service; or

(iii) the Forest Service.

(3) Travel management plan

The term “travel management plan” means a plan for the management of travel—

(A) with respect to land under the jurisdiction of the National Park Service, on park roads and designated routes under section 4.10 of title 36, Code of Federal Regulations (or successor regulations);

(B) with respect to land under the jurisdiction of the United States Fish and Wildlife Service, on the land under a comprehensive conservation plan prepared under section 668dd(e) of this title;

(C) with respect to land under the jurisdiction of the Forest Service, on National Forest System land under part 212 of title 36, Code of Federal Regulations (or successor regulations); and

(D) with respect to land under the jurisdiction of the Bureau of Land Management, under a resource management plan developed under the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.).

(b) Priority lists required

(1) In general

Not later than 1 year after March 12, 2019, and biennially thereafter during the 10-year period beginning on the date on which the first priority list is completed, the Secretary shall prepare a priority list, to be made publicly available on the website of the applicable Federal agency referred to in subsection (a)(1), which shall identify the location and acreage of land within the jurisdiction of each State or regional office on which the public is allowed, under Federal or State law, to hunt, fish, or use the land for other recreational purposes but—

(A) to which there is no public access or egress; or

(B) to which public access or egress to the legal boundaries of the land is significantly restricted (as determined by the Secretary).

(2) Minimum size

Any land identified under paragraph (1) shall consist of contiguous acreage of at least 640 acres.

(3) Considerations

In preparing the priority list required under paragraph (1), the Secretary shall consider, with respect to the land—

(A) whether access is absent or merely restricted, including the extent of the restriction;

(B) the likelihood of resolving the absence of or restriction to public access;

(C) the potential for recreational use;

(D) any information received from the public or other stakeholders during the nomination process described in paragraph (5); and

(E) any other factor, as determined by the Secretary.

(4) Adjacent land status

For each parcel of land on the priority list, the Secretary shall include in the priority list

whether resolving the issue of public access or egress to the land would require acquisition of an easement, right-of-way, or fee title from—

- (A) another Federal agency;
- (B) a State, local, or Tribal government; or
- (C) a private landowner.

(5) Nomination process

In preparing a priority list under this section, the Secretary shall provide an opportunity for members of the public to nominate parcels for inclusion on the priority list.

(c) Access options

With respect to land included on a priority list described in subsection (b), the Secretary shall develop and submit to the Committees on Appropriations and Energy and Natural Resources of the Senate and the Committees on Appropriations and Natural Resources of the House of Representatives a report on options for providing access that—

- (1) identifies how public access and egress could reasonably be provided to the legal boundaries of the land in a manner that minimizes the impact on wildlife habitat and water quality;
- (2) specifies the steps recommended to secure the access and egress, including acquiring an easement, right-of-way, or fee title from a willing owner of any land that abuts the land or the need to coordinate with State land management agencies or other Federal, State, or Tribal governments to allow for such access and egress; and
- (3) is consistent with the travel management plan in effect on the land.

(d) Protection of personally identifying information

In making the priority list and report prepared under subsections (b) and (c) available, the Secretary shall ensure that no personally identifying information is included, such as names or addresses of individuals or entities.

(e) Willing owners

For purposes of providing any permits to, or entering into agreements with, a State, local, or Tribal government or private landowner with respect to the use of land under the jurisdiction of the government or landowner, the Secretary shall not take into account whether the State, local, or Tribal government or private landowner has granted or denied public access or egress to the land.

(f) Means of public access and egress included

In considering public access and egress under subsections (b) and (c), the Secretary shall consider public access and egress to the legal boundaries of the land described in those subsections, including access and egress—

- (1) by motorized or non-motorized vehicles; and
- (2) on foot or horseback.

(g) Effect

(1) In general

This section shall have no effect on whether a particular recreational use shall be allowed on the land included in a priority list under this section.

(2) Effect of allowable uses on agency consideration

In preparing the priority list under subsection (b), the Secretary shall only consider recreational uses that are allowed on the land at the time that the priority list is prepared.

(Pub. L. 116-9, title IV, § 4105, Mar. 12, 2019, 133 Stat. 759.)

Editorial Notes

REFERENCES IN TEXT

The Federal Land Policy and Management Act of 1976, referred to in subsec. (a)(3)(D), is Pub. L. 94-579, Oct. 21, 1976, 90 Stat. 2743, which is classified principally to chapter 35 (§1701 et seq.) of Title 43, Public Lands. For complete classification of this Act to the Code, see Short Title note set out under section 1701 of Title 43, Public Lands, and Tables.

Statutory Notes and Related Subsidiaries

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.

SUBCHAPTER III—MISCELLANEOUS

§ 7931. Respect for treaties and rights

Nothing in this title¹ or the amendments made by this title—¹

- (1) affects or modifies any treaty or other right of any federally recognized Indian Tribe;
- or

- (2) modifies any provision of Federal law relating to migratory birds or to endangered or threatened species.

(Pub. L. 116-9, title IV, § 4401, Mar. 12, 2019, 133 Stat. 766.)

Editorial Notes

REFERENCES IN TEXT

This title, referred to in text, 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.

§ 7932. No priority

Nothing in this title¹ or the amendments made by this title¹ provides a preference to hunting, fishing, or recreational shooting over any other use of Federal land or water.

(Pub. L. 116-9, title IV, § 4402, Mar. 12, 2019, 133 Stat. 766.)

Editorial Notes

REFERENCES IN TEXT

This title, referred to in text, 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 Employ-

¹ See References in Text note below.

¹ See References in Text note below.