

(Pub. L. 114-327, title II, §207, Dec. 16, 2016, 130 Stat. 1992.)

§ 7808. Territorial participation

The Secretary of State shall ensure participation in the Commission and its subsidiary bodies by American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands to the extent allowed under United States law.

(Pub. L. 114-327, title II, §208, Dec. 16, 2016, 130 Stat. 1992.)

§ 7809. Exclusive economic zone notification

Masters of commercial fishing vessels of countries fishing under the management authority of the South Pacific Fisheries Convention that do not carry vessel monitoring systems capable of communicating with United States enforcement authorities shall, before or as soon as reasonably possible after, entering and transiting the exclusive economic zone bounded by the Convention Area, ensure that all fishing gear on board the vessel is stowed below deck or otherwise removed from the place it is normally used for fishing activities and placed where it is not readily available for fishing activities.

(Pub. L. 114-327, title II, §209, Dec. 16, 2016, 130 Stat. 1993.)

§ 7810. Authorization of appropriations

(a) In general

There is authorized to be appropriated out of funds made available to the Secretary and the Secretary of State \$300,000 for each of fiscal years 2017 through 2021 to carry out this chapter and to pay the United States contribution to the Commission under Article 15 of the South Pacific Fisheries Convention.

(b) International cooperation and assistance

(1) In general

Subject to the limits of available appropriations and consistent with applicable law, the Secretary or the Secretary of State may provide appropriate assistance, including grants, to developing nations and international organizations of which such nations are members to assist those nations in meeting their obligations under the South Pacific Fisheries Convention.

(2) Transfer of funds

Subject to the limits of available appropriations and consistent with other applicable law, the Secretary and the Secretary of State are authorized to transfer funds to any foreign government and any international, non-governmental, or international organization, including the Commission, for purposes of carrying out the international responsibilities under paragraph (1).

(Pub. L. 114-327, title II, §210, Dec. 16, 2016, 130 Stat. 1993.)

CHAPTER 98—SPORTSMEN’S ACCESS TO FEDERAL LAND

SUBCHAPTER I—NATIONAL POLICY

Sec.
7901. Congressional declaration of national policy.

Sec.
SUBCHAPTER II—SPORTSMEN’S ACCESS TO FEDERAL LAND

7911. Definitions.
7912. Federal land open to hunting, fishing, and recreational shooting.
7913. Closure of Federal land to hunting, fishing, and recreational shooting.
7914. Shooting ranges.
7915. Identifying opportunities for recreation, hunting, and fishing on Federal land.

SUBCHAPTER III—MISCELLANEOUS

7931. Respect for treaties and rights.
7932. No priority.
7933. State authority for fish and wildlife.

SUBCHAPTER I—NATIONAL POLICY

§ 7901. Congressional declaration of national policy

(a) In general

Congress declares that it is the policy of the United States that Federal departments and agencies, in accordance with the missions of the departments and agencies, Executive Orders 12962 and 13443 (60 Fed. Reg. 30769 (June 7, 1995); 72 Fed. Reg. 46537 (August 16, 2007)), and applicable law, shall—

(1) facilitate the expansion and enhancement of hunting, fishing, and recreational shooting opportunities on Federal land, in consultation with the Wildlife and Hunting Heritage Conservation Council, the Sport Fishing and Boating Partnership Council, State and Tribal fish and wildlife agencies, and the public;

(2) conserve and enhance aquatic systems and the management of game species and the habitat of those species on Federal land, including through hunting and fishing, in a manner that respects—

- (A) State management authority over wildlife resources; and
- (B) private property rights; and

(3) consider hunting, fishing, and recreational shooting opportunities as part of all Federal plans for land, resource, and travel management.

(b) Exclusion

In this title,¹ the term “fishing” does not include commercial fishing in which fish are harvested, either in whole or in part, that are intended to enter commerce through sale.

(Pub. L. 116-9, title IV, §4001, Mar. 12, 2019, 133 Stat. 756.)

Editorial Notes

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 Em-

¹ See References in Text note below.

ployees, 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.)

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.

§ 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 recreation¹ 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

(iii) show how the resolution led to the closure.

(c) Temporary closures

(1) In general

A temporary closure under this section may not exceed a period of 180 days.

¹ So in original. Probably should be “recreational”.