

117TH CONGRESS
1ST SESSION

S. 1673

To preserve access to Federal land, control fires, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 18, 2021

Mr. MARSHALL (for himself and Mr. CRAMER) introduced the following bill;
which was read twice and referred to the Committee on Energy and Nat-
ural Resources

A BILL

To preserve access to Federal land, control fires, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “30 × 30 Termination
5 Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) **FEDERAL LAND.**—

9 (A) **IN GENERAL.**—The term “Federal
10 land” means—

- 1 (i) National Forest System land;
- 2 (ii) public lands (as defined in section
- 3 103 of the Federal Land Policy and Man-
- 4 agement Act of 1976 (43 U.S.C. 1702));
- 5 (iii) the outer Continental Shelf (as
- 6 defined in section 2 of the Outer Conti-
- 7 nental Shelf Lands Act (43 U.S.C. 1331));
- 8 and
- 9 (iv) Federal land within the Exclusive
- 10 Economic Zone of the United States, as
- 11 established by Presidential Proclamation
- 12 5030, dated March 10, 1983 (16 U.S.C.
- 13 1453 note).

14 (B) INCLUSION.—The term “Federal
 15 land” includes land described in clauses (i)
 16 through (iv) of subparagraph (A) for which the
 17 rights to the surface estate or subsurface estate
 18 are owned by a non-Federal entity.

19 (2) MULTIPLE USE.—The term “multiple use”
 20 has the meaning given the term in section 103 of the
 21 Federal Land Policy and Management Act of 1976
 22 (43 U.S.C. 1702).

23 (3) PRINCIPAL OR MAJOR USE.—The term
 24 “principal or major use” includes domestic livestock
 25 grazing, mineral exploration and production, rights-

1 of-way, timber production, commercial fishing, rec-
 2 reational fishing, hunting, camping, hiking, moun-
 3 tain biking, horseback riding, whitewater rafting,
 4 and off-highway vehicle use, and other outdoor
 5 recreation.

6 **SEC. 3. REVOCATION OF EXECUTIVE ORDER RELATING TO**
 7 **CONSERVING OUR NATION’S LANDS AND**
 8 **WATERS.**

9 (a) IN GENERAL.—Section 216 of Executive Order
 10 14008 (86 Fed. Reg. 7627; relating to tackling the climate
 11 crisis at home and abroad (February 1, 2021)) shall have
 12 no force or effect.

13 (b) LIMITATION ON FUNDS.—No Federal funds may
 14 be used to implement, administer, enforce, or carry out
 15 any report or program substantially similar to the report
 16 or program required under section 216 of the Executive
 17 Order described in subsection (a).

18 **SEC. 4. NO NET LOSS OF NON-FEDERAL LAND.**

19 No Federal funds may be used to acquire non-Fed-
 20 eral land within a State or county in which 15 percent
 21 or more of the land is managed by a Federal agency, un-
 22 less the Federal agency proposing the acquisition disposes
 23 of an equal amount of Federal land within the State or
 24 county in which the non-Federal land is located to ensure
 25 no net loss of non-Federal land and taxable acreage during

1 the fiscal year in which the proposed acquisition occurs
2 and subsequent fiscal years as a result of the proposed
3 acquisition.

4 **SEC. 5. NO NET LOSS OF MULTIPLE USE.**

5 No Federal funds may be used to implement, admin-
6 ister, enforce, or carry out any action on Federal land that
7 results in a net loss of multiple use or any principal or
8 major use within a State, unless the action has been au-
9 thorized by an Act of Congress.

10 **SEC. 6. STATE AND CONGRESSIONAL APPROVAL REQUIRED**
11 **PRIOR TO THE FEDERAL ACQUISITION OF**
12 **MORE THAN 160 ACRES OF NON-FEDERAL**
13 **LAND.**

14 No Federal funds may be used by the head of a Fed-
15 eral agency to acquire more than 160 acres of non-Federal
16 land unless—

17 (1) the head of the Federal agency has received
18 from the State in which the non-Federal land is lo-
19 cated written notice that the State has enacted legis-
20 lation approving the proposed acquisition; and

21 (2) the proposed acquisition has been author-
22 ized by an Act of Congress.

23 **SEC. 7. PROHIBITION ON WITHDRAWAL.**

24 The President may not withdraw any Federal land
25 from forms of entry, appropriation, or disposal under the

1 public land laws, location, entry, and patent under the
2 mining laws, or disposition under laws pertaining to min-
3 eral and geothermal leasing or mineral materials unless
4 the withdrawal has been authorized by an Act of Congress.

5 **SEC. 8. LIMITATIONS ON DECLARATIONS OF NATIONAL**
6 **MONUMENTS.**

7 Section 320301 of title 54, United States Code, is
8 amended by adding at the end the following:

9 “(e) LIMITATIONS ON DECLARATIONS.—A declara-
10 tion under this section shall not apply to a State or county
11 in which 15 percent or more of the land is managed by
12 a Federal agency.”.

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