

118TH CONGRESS
2D SESSION

H. R. 10089

To ensure that there is no net gain in Federal land ownership in any fiscal year, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 1, 2024

Ms. HAGEMAN introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To ensure that there is no net gain in Federal land ownership in any fiscal year, 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 “No Net Gain in Fed-
5 eral Lands Act of 2024”.

6 **SEC. 2. NO NET GAIN IN CERTAIN FEDERAL LAND OWNER-**
7 **SHIP.**

8 (a) No NET GAIN.—

1 (1) IN GENERAL.—The number of acres of
2 land, water, and interests therein acquired by the
3 United States and put under the administrative ju-
4 risdiction of the Secretary of the Interior or the Sec-
5 retary of Agriculture in a State during a fiscal year
6 may not exceed the number of acres of Federal land
7 under the administrative jurisdiction of the Sec-
8 retary of the Interior or the Secretary of Agriculture
9 disposed of in that State during that fiscal year.

10 (2) APPLICATION.—In applying paragraph
11 (1)—

12 (A) only the disposal of fee title to lands
13 or waters may be counted against acquisition of
14 fee title to lands or waters; and

15 (B) only disposal of interests in lands or
16 waters of less than fee may be counted against
17 acquisition of comparable interests in lands or
18 waters of less than fee.

19 (b) ANNUAL INVENTORY; DETERMINATION, RE-
20 PORT.—

21 (1) INVENTORY.—The Secretary shall complete
22 an annual inventory of the total number of acres of
23 Federal land, categorized according to the type of
24 interest (such as fee, easement, mineral interest,
25 etc.), under the administrative jurisdiction of each

1 agency of the Department of the Interior or the De-
2 partment of Agriculture, as the case may be—

3 (A) in each State; and

4 (B) in the aggregate.

5 (2) DETERMINATION.—Based on the inventory
6 required by subparagraph (A), the Secretary shall
7 make an annual determination of the increase or de-
8 crease in the previous fiscal year of the total number
9 of acres of Federal land, categorized according to
10 the type of interest (such as fee, easement, mineral
11 interest), under the administrative jurisdiction of—

12 (A) each agency of the Department of the
13 Interior or the Department of Agriculture, as
14 the case may be; and

15 (B) the Department of the Interior, in
16 total, and the Department of Agriculture, in
17 total, as the case may be.

18 (3) REPORT.—Not later than September 30 of
19 each year, the Secretary shall submit to the Presi-
20 dent and Congress a report containing the inventory
21 and determination required under this subsection.

22 (c) COMPLIANCE LAND DISPOSAL.—

23 (1) IN GENERAL.—Not later than 24 months
24 after the Secretary determines under subsection (b)
25 that the Federal Government acquired more new

1 Federal land under the administrative jurisdiction of
 2 that Secretary in a State than it disposed of in that
 3 State during a fiscal year, the President shall convey
 4 to that State sufficient Federal land under the ad-
 5 ministrative jurisdiction of that Secretary to comply
 6 with subsection (a) for that fiscal year.

7 (2) NO MAJOR FEDERAL ACTION.—A convey-
 8 ance under paragraph (1) shall not be considered a
 9 major Federal action for the purposes of section
 10 102(2)(C) of the National Environmental Policy Act
 11 of 1969 (42 U.S.C. 4332(2)(C)).

12 (d) DEFINITIONS.—For the purposes of this Act, the
 13 following definitions apply:

14 (1) FEDERAL LAND.—The term “Federal
 15 land”—

16 (A) means Federal lands, waters, and in-
 17 terests therein, including lands held in trust by
 18 the Federal Government (except as provided in
 19 subparagraph (C));

20 (B) includes non-Federal land that is—

21 (i) leased by the Federal Government;

22 (ii) held as a conservation easement
 23 by the Federal Government; or

24 (iii) requires oversight by, involvement
 25 in, or other authority is exercised by the

1 Federal Government to an extent that pro-
2 hibits use of the non-Federal land that is
3 not specifically authorized by the Federal
4 Government; and

5 (C) does not include land, water, and inter-
6 ests therein—

7 (i) held by an Indian Tribe or indi-
8 vidual Indian subject to a restriction by
9 the Federal Government against alienation;

10 (ii) acquired pursuant to a foreclosure
11 under title 18, United States Code;

12 (iii) acquired by any department,
13 agency, or independent establishment in its
14 capacity as a receiver, conservator, or liqui-
15 dating agent which is held by that depart-
16 ment, agency, or independent establish-
17 ment in such capacity pending disposal;

18 (iv) that has reverted to the Federal
19 Government pursuant to a reversionary
20 clause in a deed or statute;

21 (v) subject to seizure, levy, or lien
22 under the Internal Revenue Code of 1986;
23 or

24 (vi) securing a debt owed to the
25 United States.

1 (2) SECRETARY.—The term “Secretary”
2 means—

3 (A) the Secretary of Agriculture with re-
4 gard to the Federal land under the administra-
5 tive jurisdiction of that Secretary; and

6 (B) the Secretary of the Interior with re-
7 gard to Federal land under the administrative
8 jurisdiction of that Secretary.

9 (3) STATE.—The term “State” means the sev-
10 eral States and the District of Columbia.

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