

118TH CONGRESS
2D SESSION

S. 4718

To amend the Federal Land Policy and Management Act of 1976 to clarify the nature of public involvement for purposes of certain rulemaking, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 11 (legislative day, JULY 10), 2024

Mr. BARRASSO (for himself, Ms. LUMMIS, Mr. RISCH, and Mr. DAINES) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To amend the Federal Land Policy and Management Act of 1976 to clarify the nature of public involvement for purposes of certain rulemaking, 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 “American Voices in
5 Federal Lands Act”.

6 **SEC. 2. PUBLIC INVOLVEMENT IN CERTAIN PUBLIC LAND**
7 **RULEMAKING.**

8 (a) DEFINITION OF PUBLIC INVOLVEMENT.—Section
9 103(d) of the Federal Land Policy and Management Act

1 of 1976 (43 U.S.C. 1702(d)) is amended by striking “citi-
 2 zens” and inserting “citizens of the United States, in ac-
 3 cordance with section 310(d), as applicable,”.

4 (b) PUBLIC INVOLVEMENT RELATING TO CERTAIN
 5 RULES AND REGULATIONS.—Section 310 of the Federal
 6 Land Policy and Management Act of 1976 (43 U.S.C.
 7 1740) is amended to read as follows:

8 **“SEC. 310. RULES AND REGULATIONS.**

9 “(a) AUTHORIZATION.—

10 “(1) SECRETARY.—Subject to subsection (d),
 11 the Secretary, with respect to public lands, shall pro-
 12 mulgate rules and regulations to carry out the pur-
 13 poses of—

14 “(A) this Act; and

15 “(B) other laws applicable to public lands.

16 “(2) SECRETARY OF AGRICULTURE.—The Sec-
 17 retary of Agriculture, with respect to land in the Na-
 18 tional Forest System, shall promulgate rules and
 19 regulations to carry out the purposes of this Act.

20 “(b) REQUIREMENT.—The promulgation of rules and
 21 regulations pursuant to this section shall be in accordance
 22 with chapter 5 of title 5, United States Code, without re-
 23 gard to section 553(a)(2) of that title.

24 “(c) ABSENCE OF REGULATION.—Before the promul-
 25 gation of a rule or regulation pursuant to this section with

1 respect to public lands or land in the National Forest Sys-
2 tem, the applicable land shall be administered under exist-
3 ing rules and regulations concerning the land, to the max-
4 imum extent practicable.

5 “(d) PUBLIC INVOLVEMENT RELATING TO BUREAU
6 LAND.—Notwithstanding any other provision of law, with
7 respect to public lands managed by the Bureau, the Sec-
8 retary—

9 “(1) in promulgating any applicable regulations
10 pursuant to this or any other Act, may take into
11 consideration only public comments received from
12 citizens of the United States; and

13 “(2) in any public involvement under this Act
14 or any other provision of law (including regulations),
15 shall establish and implement a process commonly
16 known as ‘Completely Automated Public Test to tell
17 Computers and Humans Apart (CAPTCHA)’ to
18 deter attempts at public involvement via artificial in-
19 telligence.”.

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