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(Original Signature of Member)

118TH CONGRESS  
2D SESSION

**H. R.** \_\_\_\_\_

To prohibit the Secretary of the Interior and the Secretary of Agriculture  
from transferring certain Federal land, and for other purposes.

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**IN THE HOUSE OF REPRESENTATIVES**

Mr. ZINKE introduced the following bill; which was referred to the Committee  
on \_\_\_\_\_  
\_\_\_\_\_

**A BILL**

To prohibit the Secretary of the Interior and the Secretary  
of Agriculture from transferring certain Federal land,  
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 “Public Lands in Public  
5 Hands Act”.

6       **SEC. 2. DEFINITIONS.**

7       In this Act, the term “publicly accessible tract”  
8       means a tract of Federal land managed by the Secretary

1 of the Interior or the Chief of the Forest Service that can  
2 be accessed by public road, public trail, public waterway,  
3 public easement, or public right-of-way.

4 **SEC. 3. RESTRICTION ON TRANSFER OF CERTAIN FEDERAL**  
5 **LAND.**

6 (a) IN GENERAL.—The Secretary of the Interior and  
7 the Secretary of Agriculture are prohibited from transfer-  
8 ring title to Federal land to a non-Federal entity, if the  
9 Federal land is—

10 (1) a publicly accessible tract; or

11 (2) contiguous with—

12 (A) a publicly accessible tract; or

13 (B) a tract of land that—

14 (i) is owned by a State, county, or  
15 municipal government; and

16 (ii) can be accessed by public road,  
17 public trail, public waterway, public ease-  
18 ment, or public right-of-way.

19 (b) EXCEPTION.—Subsection (a) shall not apply to  
20 a transfer—

21 (1) of Federal land that is—

22 (A)(i) less than 300 acres; or

23 (ii) less than 5 acres and accessible  
24 via a public waterway; and

1 (B) authorized to be transferred under and  
2 subject to the Federal Land Policy and Man-  
3 agement Act of 1976;

4 (2) authorized by—

5 (A) the Southern Nevada Public Land  
6 Management Act of 1998;

7 (B) the Sisk Act (16 U.S.C. 479a);

8 (C) Public Law 85–569, commonly known  
9 as the “Townsites Act of 1958”;

10 (D) the Small Tract Act of 1983;

11 (E) the Act of May 17, 1906, commonly  
12 known as the “Native Allotment Act of 1906”;

13 (F) Public Law 85–508, commonly known  
14 as the “Alaska Statehood Act of 1959”;

15 (G) the Alaska Native Claims Settlement  
16 Act;

17 (H) the Alaska Native Vietnam-era Vet-  
18 erans Land Allotment Program authorized by  
19 section 1119 of the John D. Dingell, Jr. Con-  
20 servation, Management, and Recreation Act;

21 (I) the Recreation and Public Purposes  
22 Act; or

23 (J) the Weeks Act of 1911;

24 (3) explicitly authorized by Federal law; or

1           (4) completed through a land exchange author-  
2           ized by Federal law.

3           (c) LIMITATION.—The Secretary shall not subdivide  
4 Federal land to meet acreage minimums described in sub-  
5 section (b)(1).

6 **SEC. 4. STATUTORY CONSTRUCTION.**

7           Nothing in this Act shall be used to influence or in-  
8 terpret the legality of stepping over a property corner from  
9 one parcel of public land to another.