

118TH CONGRESS
1ST SESSION

H. R. 6492

To improve recreation opportunities on, and facilitate greater access to,
Federal public land, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 29, 2023

Mr. WESTERMAN (for himself, Mr. GRIJALVA, Mr. CURTIS, Mr. NEGUSE, Mr. LAMBORN, Ms. BARRAGÁN, Mr. MOYLAN, Mrs. PELTOLA, Mr. CARL, Ms. LEE of Nevada, Mrs. RADEWAGEN, Ms. PORTER, Mr. WITTMAN, Mr. SABLAN, Mrs. KIGGANS of Virginia, Mrs. DINGELL, Mr. COLLINS, Ms. LEGER FERNANDEZ, Mr. LEVIN, and Mr. CASE) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committees on Agriculture, and Veterans' Affairs, 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 improve recreation opportunities on, and facilitate greater
access to, Federal public 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the

5 “Expanding Public Lands Outdoor Recreation Experi-

6 ences Act” or the “EXPLORE Act”.

1 (b) TABLE OF CONTENTS.—The table of contents for
2 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.

TITLE I—OUTDOOR RECREATION AND INFRASTRUCTURE

Subtitle A—Outdoor Recreation Policy

- Sec. 111. Congressional declaration of policy.
- Sec. 112. Identifying opportunities for recreation.
- Sec. 113. Federal Interagency Council on Outdoor Recreation.
- Sec. 114. Recreation budget crosscut.

Subtitle B—Public Recreation on Federal Recreational Lands and Waters

- Sec. 121. Biking on long-distance trails.
- Sec. 122. Protecting America’s rock climbing.
- Sec. 123. Range access.
- Sec. 124. Restoration of overnight campsites.
- Sec. 125. Federal interior land media.
- Sec. 126. Cape and antler preservation enhancement.
- Sec. 127. Motorized and nonmotorized access.
- Sec. 128. Aquatic resource activities assistance.

Subtitle C—Supporting Gateway Communities and Addressing Park
Overcrowding

- Sec. 131. Gateway communities.
- Sec. 132. Improved recreation visitation data.
- Sec. 133. Monitoring for improved recreation decision making.

Subtitle D—Broadband Connectivity on Federal Recreational Lands and
Waters

- Sec. 141. Connect Our Parks.
- Sec. 142. Broadband internet connectivity at developed recreation sites.

Subtitle E—Public–Private Parks Partnerships

- Sec. 151. Lodging options developed for Government employees.
- Sec. 152. Partnership agreements creating tangible savings.
- Sec. 153. Partnership agreements to modernize federally owned campgrounds,
resorts, cabins, and visitor centers on Federal recreational
lands and waters.
- Sec. 154. Parking opportunities for Federal recreational lands and waters.
- Sec. 155. Pay-for-performance projects.
- Sec. 156. Outdoor recreation legacy partnership program.

TITLE II—ACCESS AMERICA

- Sec. 201. Definitions.

Subtitle A—Access for People With Disabilities

- Sec. 211. Accessible recreation inventory.

- Sec. 212. Trail inventory.
- Sec. 213. Trail pilot program.
- Sec. 214. Accessible trails.
- Sec. 215. Accessible recreation opportunities.
- Sec. 216. Assistive technology.
- Sec. 217. Savings clause.

Subtitle B—Military and Veterans in Parks

- Sec. 221. Promotion of outdoor recreation for military servicemembers and veterans.
- Sec. 222. Military Veterans Outdoor Recreation Liaisons.
- Sec. 223. Partnerships to promote military and veteran recreation.
- Sec. 224. National strategy for military and veteran recreation.
- Sec. 225. Recreation resource advisory committees.
- Sec. 226. Career and volunteer opportunities for veterans.

Subtitle C—Youth Access

- Sec. 231. Increasing youth recreation visits to Federal land.
- Sec. 232. Every Kid Outdoors Act extension.

TITLE III—SIMPLIFYING OUTDOOR ACCESS FOR RECREATION

- Sec. 301. Definitions.

Subtitle A—Modernizing Recreation Permitting

- Sec. 311. Special recreation permit and fee.
- Sec. 312. Permitting process improvements.
- Sec. 313. Permit flexibility.
- Sec. 314. Permit administration.
- Sec. 315. Service First Initiative; Permits for multijurisdictional trips.
- Sec. 316. Forest service and bureau of land management transitional special recreation permits for outfitting and guiding.
- Sec. 317. Reviews for transitional permits and long-term permits.
- Sec. 318. Adjustment of allocated visitor-use days.
- Sec. 319. Liability.
- Sec. 320. Cost recovery reform.
- Sec. 321. Availability of Federal, State, and local recreation passes.
- Sec. 322. Online purchases and establishment of a digital version of America the Beautiful—The National Parks and Federal Recreational Lands Passes.
- Sec. 323. Savings provision.

Subtitle B—Making Recreation a Priority

- Sec. 331. Extension of seasonal recreation opportunities.

Subtitle C—Maintenance of Public Land

- Sec. 341. Volunteers in the National Forests and Public Land Act.
- Sec. 342. Reference.

Subtitle D—Recreation Not Red Tape

- Sec. 351. Good neighbor authority for recreation.
- Sec. 352. Permit relief for picnic areas.

Sec. 353. Interagency report on special recreation permits for underserved communities.

Sec. 354. Modernizing Access to Our Public Land Act amendments.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) FEDERAL LAND MANAGEMENT AGENCY.—

4 The term “Federal land management agency” has
5 the meaning given the term in section 802 of the
6 Federal Lands Recreation Enhancement Act (16
7 U.S.C. 6801).

8 (2) FEDERAL RECREATIONAL LANDS AND

9 WATERS.—The term “Federal recreational lands and
10 waters” has the meaning given the term in section
11 802 of the Federal Lands Recreation Enhancement
12 Act (16 U.S.C. 6801).

13 (3) GATEWAY COMMUNITY.—The term “gate-

14 way community” means a community that serves as
15 an entry point, or is adjacent, to a recreation des-
16 tination on Federal recreational lands and waters or
17 non-Federal land at which there is consistently high,
18 in the determination of the Secretaries, seasonal or
19 year-round visitation.

20 (4) INDIAN TRIBE.—The term “Indian Tribe”

21 has the meaning given the term in section 4 of the
22 Indian Self-Determination and Education Assistance
23 Act (25 U.S.C. 5304).

1 (5) SECRETARIES.—The term “Secretaries”
2 means each of—

3 (A) the Secretary; and

4 (B) the Secretary of Agriculture.

5 (6) SECRETARY.—The term “Secretary” means
6 the Secretary of the Interior.

7 (7) SECRETARY CONCERNED.—The term “Sec-
8 retary concerned” means—

9 (A) the Secretary, with respect to land
10 under the jurisdiction of the Secretary; or

11 (B) the Secretary of Agriculture, with re-
12 spect to land managed by the Forest Service.

13 **TITLE I—OUTDOOR RECRE-**
14 **ATION AND INFRASTRUC-**
15 **TURE**

16 **Subtitle A—Outdoor Recreation**
17 **Policy**

18 **SEC. 111. CONGRESSIONAL DECLARATION OF POLICY.**

19 Congress declares that it is the policy of the Federal
20 Government to foster and encourage recreation on Federal
21 recreational lands and waters, to the extent consistent
22 with the laws applicable to specific areas of Federal rec-
23 reational lands and waters, including multiple-use man-
24 dates and land management planning requirements.

1 **SEC. 112. IDENTIFYING OPPORTUNITIES FOR RECREATION.**

2 (a) DEFINITION OF LAND USE PLAN.—In this sec-
3 tion, the term “land use plan” means—

4 (1) a land use plan prepared by the Secretary
5 pursuant to section 202 of the Federal Land Policy
6 and Management Act of 1976 (43 U.S.C. 1712);
7 and

8 (2) a land management plan prepared by the
9 Forest Service for a unit of the National Forest
10 Service pursuant to section 6 of the Forest and
11 Rangeland Renewable Resources Planning Act of
12 1974 (16 U.S.C. 1604).

13 (b) INVENTORY AND ASSESSMENTS.—

14 (1) IN GENERAL.—The Secretaries shall—

15 (A) conduct a single inventory and assess-
16 ment of recreation resources for Federal rec-
17 reational lands and waters; and

18 (B) publish the inventory and assessment
19 conducted under subparagraph (A) for public
20 comment.

21 (2) UNIQUE RECREATION VALUES.—An inven-
22 tory and assessment conducted under paragraph (1)
23 shall—

24 (A) recognize—

25 (i) any unique recreation values and
26 recreation opportunities; and

1 (ii) areas of concentrated recreational
2 use; and

3 (B) identify, list, and map recreation re-
4 sources by—

5 (i) type of recreation opportunity and
6 type of natural or artificial recreation in-
7 frastructure;

8 (ii) to the extent available, the level of
9 use of the recreation resource as of the
10 date of the inventory;

11 (iii) location; and

12 (iv) identify, to the extent practicable,
13 any trend relating to recreation opportuni-
14 ties or use at a recreation resource identi-
15 fied under subparagraph (A).

16 (3) ASSESSMENTS.—For any recreation re-
17 source inventoried under paragraph (1), the Sec-
18 retary concerned shall assess—

19 (A) the level of demand for the recreation
20 resource;

21 (B) the maintenance needs of, and ex-
22 penses necessary to administer, the recreation
23 resource;

1 (C) the benefits of current and projected
2 future recreation use, including to the local
3 economy;

4 (D) the capacity of the recreation resource
5 to meet the demand described in subparagraph
6 (A), including the relationship of current and
7 projected future recreation use on—

8 (i) natural, cultural, and other re-
9 sources;

10 (ii) other authorized uses and activi-
11 ties on the Federal recreational lands and
12 waters subject to the applicable land use
13 plan; and

14 (iii) existing infrastructure;

15 (E) the suitability for developing, expand-
16 ing, or enhancing the recreation resource;

17 (F) technological developments and innova-
18 tion that affect recreation use; and

19 (G) the adequacy of the current manage-
20 ment of the recreation resource.

21 (c) FUTURE RECREATION NEEDS AND MANAGE-
22 MENT.—

23 (1) FUTURE NEEDS.—Based on the inventory
24 and assessment conducted under subsection (b)(1),
25 the Secretary concerned shall—

1 (A) estimate future recreation needs
2 through a collaborative process;

3 (B) identify underutilized locations that
4 are suitable for developing, expanding, or en-
5 hancing recreation use; and

6 (C) select additional high-value recreation
7 resources at which to encourage recreation use,
8 consistent with the applicable land use plan.

9 (2) CONSIDERATIONS.—In selecting a high-
10 value recreation resource under paragraph (1)(C),
11 the Secretary concerned shall consider the following:

12 (A) The future recreation needs estimated
13 under paragraph (1)(A).

14 (B) The maintenance needs of, and the ex-
15 penses necessary to administer, the high-value
16 recreation resource.

17 (C) The presence of partner organizations
18 prepared to assist in the stewardship of the
19 high-value recreation resource.

20 (D) The benefits of recreation use, includ-
21 ing benefits to the local economy.

22 (E) The impacts of recreation use on—

23 (i) natural, cultural, or other re-
24 sources;

1 (ii) other authorized uses and activi-
2 ties on the Federal recreational lands and
3 waters subject to any applicable land use
4 plan; and

5 (iii) adjacent landowners.

6 (3) MANAGEMENT.—The Secretary concerned
7 shall—

8 (A) seek input from the public, including
9 adjacent landowners and individuals or entities
10 with existing land use authorizations, with re-
11 spect to the management of any high-value
12 recreation resource identified under paragraph
13 (1)(C);

14 (B) maintain or enhance the recreation
15 values and encourage recreation use of the
16 high-value recreation resource identified, sub-
17 ject to the availability of appropriations and
18 consistent with any applicable multiple-use
19 mandates; and

20 (C) manage a high-value recreation re-
21 source under this paragraph in a manner that
22 is consistent with applicable law.

23 (d) EXISTING EFFORTS.—To the extent practicable,
24 the Secretary concerned shall use or incorporate existing

1 applicable research and planning decisions and processes
2 in carrying out this section.

3 (e) CONFORMING AMENDMENTS.—Section 200103 of
4 title 54, United States Code, is amended—

5 (1) by striking subsection (d); and

6 (2) by redesignating subsections (e), (f), (g),
7 (h), and (i) as subsections (d), (e), (f), (g), and (h),
8 respectively.

9 **SEC. 113. FEDERAL INTERAGENCY COUNCIL ON OUTDOOR**
10 **RECREATION.**

11 (a) DEFINITIONS.—Section 200102 of title 54,
12 United States Code, is amended—

13 (1) by redesignating paragraphs (1) and (2) as
14 paragraphs (4) and (5) respectively; and

15 (2) by inserting before paragraph (4), as so re-
16 designated, the following:

17 “(1) COUNCIL.—The term ‘Council’ means the
18 Federal Interagency Council on Outdoor Recreation
19 established under section 200104.

20 “(2) FEDERAL LAND MANAGEMENT AGENCY.—
21 The term ‘Federal land management agency’ means
22 the National Park Service, Bureau of Land Manage-
23 ment, United States Fish and Wildlife Service, Bu-
24 reau of Indian Affairs, Bureau of Reclamation, For-

1 est Service, Corps of Engineers, and the National
2 Oceanic and Atmospheric Administration.

3 “(3) FEDERAL RECREATIONAL LANDS AND
4 WATERS.—The term ‘Federal recreational lands and
5 waters’ has the meaning given the term in section
6 802 of the Federal Lands Recreation Enhancement
7 Act (16 U.S.C. 6801) and also includes Federal
8 waters managed by the National Oceanic and At-
9 mospheric Administration and Federal lands and
10 waters managed by the Army Corps of Engineers.”.

11 (b) ESTABLISHMENT OF COUNCIL.—Section 200104
12 of title 54, United States Code, is amended to read as
13 follows:

14 **“§ 200104. Federal interagency council on outdoor**
15 **recreation**

16 “(a) ESTABLISHMENT.—The Secretary shall estab-
17 lish an interagency council, to be known as the ‘Federal
18 Interagency Council on Outdoor Recreation’.

19 “(b) COMPOSITION.—

20 “(1) IN GENERAL.—The Council shall be com-
21 posed of representatives of each of the following
22 agencies, to be appointed by the head of the respec-
23 tive agency:

24 “(A) The National Park Service.

25 “(B) The Bureau of Land Management.

1 “(C) The United States Fish and Wildlife
2 Service.

3 “(D) The Bureau of Indian Affairs.

4 “(E) The Bureau of Reclamation.

5 “(F) The Forest Service.

6 “(G) The Army Corps of Engineers.

7 “(H) The National Oceanic and Atmos-
8 pheric Administration.

9 “(2) ADDITIONAL PARTICIPANTS.—In addition
10 to the members of the Council appointed under
11 paragraph (1), the Secretary may invite participa-
12 tion in the Council’s meetings or other activities
13 from representatives of the following:

14 “(A) The Council on Environmental Qual-
15 ity.

16 “(B) The Natural Resources Conservation
17 Service.

18 “(C) Rural development programs of the
19 Department of Agriculture.

20 “(D) The National Center for Chronic Dis-
21 ease Prevention and Health Promotion.

22 “(E) The Environmental Protection Agen-
23 cy.

24 “(F) The Department of Transportation,
25 including the Federal Highway Administration.

1 “(G) The Tennessee Valley Authority.

2 “(H) The Department of Commerce, in-
3 cluding—

4 “(i) the Bureau of Economic Analysis;

5 “(ii) the National Travel and Tourism
6 Office; and

7 “(iii) the Economic Development Ad-
8 ministration.

9 “(I) The Federal Energy Regulatory Com-
10 mission.

11 “(J) An applicable State agency or office.

12 “(K) An applicable agency or office of a
13 local government.

14 “(3) STATE COORDINATION.—In determining
15 additional participants under this subsection, the
16 Secretary shall seek to ensure that States are invited
17 and represented in the Council’s meetings or other
18 activities.

19 “(4) LEADERSHIP.—The leadership of the
20 Council shall rotate annually among the Council
21 members appointed under paragraph (1), or as oth-
22 erwise determined by the Secretary in consultation
23 with the Secretaries of Agriculture, Defense, and
24 Commerce.

1 “(5) FUNDING.—Notwithstanding section 708
2 of title VII of division E of the Consolidated Appro-
3 priations Act, 2023 (Public Law 117–328), the
4 Council members appointed under paragraph (1)
5 may enter into agreements to share the management
6 and operational costs of the Council.

7 “(c) COORDINATION.—The Council shall meet as fre-
8 quently as appropriate for the purposes of coordinating—

9 “(1) recreation management policies across
10 Federal agencies, including implementation of the
11 Federal Lands Recreation Enhancement Act (16
12 U.S.C. 6801 et seq.);

13 “(2) the response by Federal land management
14 agencies to public health emergencies or other emer-
15 gencies that result in disruptions to, or closures of,
16 Federal recreational lands and waters;

17 “(3) the expenditure of funds relating to out-
18 door recreation on Federal recreational lands and
19 waters, including funds made available under section
20 40804(b)(7) of the Infrastructure Investment and
21 Jobs Act (16 U.S.C. 6592a(b)(7));

22 “(4) the adoption and expansion of emerging
23 technologies on Federal recreational lands and
24 waters;

1 “(5) research activities, including quantifying
2 the economic impacts of recreation;

3 “(6) dissemination to the public of recreation-
4 related information (including information relating
5 to opportunities, reservations, accessibility, and clo-
6 sures), in a manner that ensures the recreation-re-
7 lated information is easily accessible with modern
8 communication devices;

9 “(7) the improvement of access to Federal rec-
10 reational lands and waters; and

11 “(8) the identification and engagement of part-
12 ners outside the Federal Government—

13 “(A) to promote outdoor recreation;

14 “(B) to facilitate collaborative management
15 of outdoor recreation; and

16 “(C) to provide additional resources relat-
17 ing to enhancing outdoor recreation opportuni-
18 ties; and

19 “(9) any other outdoor recreation-related issues
20 that the Council determines necessary.

21 “(d) EFFECT.—Nothing in this section affects the
22 authorities, regulations, or policies of any Federal agency
23 described in paragraph (1) or (2) of subsection (b).”.

24 (c) CLERICAL AMENDMENT.—The table of sections
25 for chapter 2001 of title 54, United States Code, is

1 amended by striking the item relating to section 200104
2 and inserting the following:

“200104. Federal Interagency Council on Outdoor Recreation”.

3 **SEC. 114. RECREATION BUDGET CROSSCUT.**

4 Not later than 30 days after the end of each fiscal
5 year, beginning with fiscal year 2025, the Director of the
6 Office of Management and Budget shall submit to Con-
7 gress and make public online a report that describes and
8 itemizes the total amount of funding relating to outdoor
9 recreation that was obligated in the preceding fiscal year
10 in accounts in the Treasury for the Department of the
11 Interior and the Department of Agriculture.

12 **Subtitle B—Public Recreation on**
13 **Federal Recreational Lands and**
14 **Waters**

15 **SEC. 121. BIKING ON LONG-DISTANCE TRAILS.**

16 (a) IDENTIFICATION OF LONG-DISTANCE TRAILS.—
17 Not later than 18 months after the date of the enactment
18 of this title, the Secretaries shall identify—

19 (1) not fewer than 10 long-distance bike trails
20 that make use of trails and roads in existence on the
21 date of the enactment of this title; and

22 (2) not fewer than 10 areas in which there is
23 an opportunity to develop or complete a trail that
24 would qualify as a long-distance bike trail.

25 (b) PUBLIC COMMENT.—The Secretaries shall—

1 (1) develop a process to allow members of the
2 public to comment regarding the identification of
3 trails and areas under subsection (a); and

4 (2) consider the identification, development,
5 and completion of long-distance bike trails in a geo-
6 graphically equitable manner.

7 (c) MAPS, SIGNAGE, AND PROMOTIONAL MATE-
8 RIALS.—For any long-distance bike trail identified under
9 subsection (a), the Secretary concerned may—

10 (1) publish and distribute maps, install signage,
11 and issue promotional materials; and

12 (2) coordinate with stakeholders to leverage any
13 non-Federal resources necessary for the stewardship,
14 development, or completion of trails.

15 (d) REPORT.—Not later than 2 years after the date
16 of the enactment of this title, the Secretaries, in partner-
17 ship with interested organizations, shall prepare and pub-
18 lish a report that lists the trails identified under sub-
19 section (a), including a summary of public comments re-
20 ceived in accordance with the process developed under sub-
21 section (b).

22 (e) CONFLICT AVOIDANCE WITH OTHER USES.—The
23 Secretary concerned shall ensure that each long-distance
24 bike trail or area identified under subsection (a)—

25 (1) does not conflict with—

1 (A) the uses, before the date of the enact-
2 ment of this title, of any trail or road that is
3 part of that long-distance bike trail;

4 (B) multiple-use areas where biking, hik-
5 ing, horseback riding, or use by pack and sad-
6 dle stock are existing uses on the date of the
7 enactment of this title;

8 (C) the purposes for which any trail was or
9 is established under the National Trails System
10 Act (16 U.S.C. 1241 et seq.); and

11 (D) any area managed under the Wilder-
12 ness Act (16 U.S.C. 1131 et seq.); and

13 (2) complies with land use and management
14 plans of the Federal recreational lands and waters
15 that are part of that long-distance bike trail.

16 (f) DEFINITIONS.—In this section:

17 (1) LONG-DISTANCE BIKE TRAIL.—The term
18 “long-distance bike trail” means a continuous route,
19 consisting of 1 or more trails or rights-of-way,
20 that—

21 (A) is not less than 80 miles in length;

22 (B) primarily makes use of dirt or natural
23 surface trails;

24 (C) may require connections along paved
25 or other improved roads;

1 (D) does not include Federal recreational
2 lands where mountain biking or related activi-
3 ties are not consistent with management re-
4 quirements for those Federal recreational lands;
5 and

6 (E) to the maximum extent practicable,
7 makes use of trails and roads that were on Fed-
8 eral recreational lands on or before the date of
9 the enactment of this title.

10 (2) SECRETARIES.—The term “Secretaries”
11 means the Secretary of the Interior and the Sec-
12 retary of Agriculture, acting jointly.

13 **SEC. 122. PROTECTING AMERICA’S ROCK CLIMBING.**

14 (a) IN GENERAL.—Not later than 18 months after
15 the date of the enactment of this title, each Secretary con-
16 cerned shall issue guidance for recreational climbing ac-
17 tivities on covered Federal land.

18 (b) APPLICABLE LAW.—The guidance issued under
19 subsection (a) shall ensure that recreational climbing ac-
20 tivities comply with the laws (including regulations) appli-
21 cable to the covered Federal land.

22 (c) WILDERNESS AREAS.—The guidance issued
23 under subsection (a) shall recognize that recreational
24 climbing (including the use, placement, and maintenance
25 of fixed anchors) is an appropriate use within a component

1 of the National Wilderness Preservation System, if under-
2 taken—

3 (1) in accordance with the Wilderness Act (16
4 U.S.C. 1131 et seq.) and other applicable laws (in-
5 cluding regulations); and

6 (2) subject to any terms and conditions deter-
7 mined by the Secretary concerned to be appropriate.

8 (d) AUTHORIZATION.—The guidance issued under
9 subsection (a) shall describe the requirements, if any, for
10 the placement and maintenance of fixed anchors for rec-
11 reational climbing in a component of the National Wilder-
12 ness Preservation System, including any terms and condi-
13 tions determined by the Secretary concerned to be appro-
14 priate, which may be issued programmatically or on a
15 case-by-case basis.

16 (e) EXISTING ROUTES.—The guidance issued under
17 subsection (a) shall include direction providing for the con-
18 tinued use and maintenance of recreational climbing
19 routes (including fixed anchors along the routes) in exist-
20 ence as of the date of the enactment of this title, in accord-
21 ance with this Act.

22 (f) PUBLIC COMMENT.—Before finalizing the guid-
23 ance issued under subsection (a), the Secretary concerned
24 shall provide opportunities for public comment with re-
25 spect to the guidance.

1 (g) COVERED FEDERAL LAND DEFINED.—In this
2 section, the term “covered Federal land”—

3 (1) means the lands described in subparagraphs
4 (A) and (B) of paragraph (2); and

5 (2) includes components of the National Wilder-
6 ness Preservation System.

7 **SEC. 123. RANGE ACCESS.**

8 (a) DEFINITION OF TARGET SHOOTING RANGE.—In
9 this section, the term “target shooting range” means a
10 developed and managed area that is authorized or oper-
11 ated by the Forest Service or the Bureau of Land Manage-
12 ment specifically for the purposeful discharge by the public
13 of legal firearms, firearms training, archery, or other asso-
14 ciated activities.

15 (b) ASSESSMENT; IDENTIFICATION OF TARGET
16 SHOOTING RANGE LOCATIONS.—

17 (1) ASSESSMENT.—Not later than 1 year after
18 the date of the enactment of this title, the Secretary
19 concerned shall make available to the public a list
20 that—

21 (A) identifies each National Forest and
22 each Bureau of Land Management district that
23 has a target shooting range that meets the re-
24 quirements described in paragraph (3)(B);

1 (B) identifies each National Forest and
2 each Bureau of Land Management district that
3 does not have a target shooting range that
4 meets the requirements described in paragraph
5 (3)(B); and

6 (C) for each National Forest and each Bu-
7 reau of Land Management district identified
8 under subparagraph (B), provides a determina-
9 tion of whether applicable law or the applicable
10 land use plan prevents the establishment of a
11 target shooting range that meets the require-
12 ments described in paragraph (3)(B).

13 (2) IDENTIFICATION OF TARGET SHOOTING
14 RANGE LOCATIONS.—

15 (A) IN GENERAL.—The Secretary con-
16 cerned shall identify at least 1 suitable location
17 for a target shooting range that meets the re-
18 quirements described in paragraph (3)(B) with-
19 in each National Forest and each Bureau of
20 Land Management district with respect to
21 which the Secretary concerned has determined
22 under paragraph (1)(C) that the establishment
23 of a target shooting range is not prevented by
24 applicable law or the applicable land use plan.

1 (B) REQUIREMENTS.—The Secretaries, in
2 consultation with the entities described in sub-
3 section (d), shall, for purposes of identifying a
4 suitable location for a target shooting range
5 under subparagraph (A)—

6 (i) consider the proximity of areas fre-
7 quently used by recreational shooters;

8 (ii) ensure that the target shooting
9 range would not adversely impact a shoot-
10 ing range operated or maintained by a
11 non-Federal entity, including a shooting
12 range located on private land; and

13 (iii) consider other nearby recreational
14 uses, including proximity to units of the
15 National Park System, to minimize poten-
16 tial conflict and prioritize visitor safety.

17 (3) ESTABLISHMENT OF NEW TARGET SHOOT-
18 ING RANGES.—

19 (A) IN GENERAL.—Not later than 5 years
20 after the date of the enactment of this title, at
21 1 or more suitable locations identified on each
22 eligible National Forest and each Bureau of
23 Land Management district under paragraph
24 (2)(A), the Secretary concerned shall—

1 (i) subject to the availability of appro-
2 priations, construct a target shooting
3 range that meets the requirements de-
4 scribed in subparagraph (B) or modify an
5 existing target shooting range to meet the
6 requirements described in subparagraph
7 (B); or

8 (ii) enter into an agreement with an
9 entity described in subsection (d)(1), under
10 which the entity shall establish or maintain
11 a target shooting range that meets the re-
12 quirements described in subparagraph (B).

13 (B) REQUIREMENTS.—A target shooting
14 range established under this paragraph—

15 (i)(I) shall be able to accommodate ri-
16 fles, pistols, and shotguns; and

17 (II) may accommodate archery;

18 (ii) shall include appropriate public
19 safety designs and features, including—

20 (I) significantly modified land-
21 scapes, including berms, buffer dis-
22 tances, or other public safety designs
23 or features;

24 (II) a designated firing line; and

25 (III) benches;

- 1 (iii) may include—
- 2 (I) shade structures;
- 3 (II) trash containers;
- 4 (III) restrooms; and
- 5 (IV) any other features that the
- 6 Secretary concerned determines to be
- 7 necessary; and
- 8 (iv) may not require a user to pay a
- 9 fee to use the target shooting range.

10 (C) RECREATION AND PUBLIC PURPOSES

11 ACT.—For purposes of subparagraph (A), the

12 Secretary concerned may consider a target

13 shooting range that is located on land trans-

14 ferred pursuant to the Act of June 14, 1926

15 (commonly known as the “Recreation and Pub-

16 lic Purposes Act”) (44 Stat. 741, chapter 578;

17 43 U.S.C. 869 et seq.), as a target shooting

18 range that meets the requirements described in

19 subparagraph (B).

20 (c) RESTRICTIONS.—

21 (1) MANAGEMENT.—The management of a tar-

22 get shooting range shall be subject to such condi-

23 tions as the Secretary concerned determines are nec-

24 essary for the safe, responsible use of—

25 (A) the target shooting range; and

1 (B) the adjacent land and resources.

2 (2) CLOSURES.—Except in emergency situa-
3 tions, the Secretary concerned shall seek to ensure
4 that a target shooting range that meets the require-
5 ments described in subsection (b)(3)(B), or an
6 equivalent shooting range adjacent to a National
7 Forest or Bureau of Land Management district, is
8 available to the public prior to closing Federal rec-
9 reational lands and waters administered by the Chief
10 of the Forest Service or the Director of the Bureau
11 of Land Management to recreational shooting, in ac-
12 cordance with section 4103 of the John D. Dingell,
13 Jr. Conservation, Management, and Recreation Act
14 (16 U.S.C. 7913).

15 (d) CONSULTATIONS.—

16 (1) IN GENERAL.—In carrying out this section,
17 the Secretaries shall consult, as applicable, with—

18 (A) local and Tribal Governments;

19 (B) nonprofit or nongovernmental organi-
20 zations, including organizations that are sig-
21 natories to the memorandum of understanding
22 entitled “Federal Lands Hunting, Fishing, and
23 Shooting Sports Roundtable Memorandum of
24 Understanding” and signed by the Forest Serv-

1 ice and the Bureau of Land Management on
2 August 17, 2006;

3 (C) State fish and wildlife agencies;

4 (D) shooting clubs;

5 (E) Federal advisory councils relating to
6 hunting and shooting sports;

7 (F) individuals or entities with authorized
8 leases or permits in an area under consideration
9 for a target shooting range;

10 (G) State and local offices of outdoor
11 recreation;

12 (H) State and local public safety agencies;
13 and

14 (I) the public.

15 (2) PARTNERSHIPS.—The Secretaries may—

16 (A) coordinate with an entity described in
17 paragraph (1) to assist with the construction,
18 modification, operation, or maintenance of a
19 target shooting range; and

20 (B) explore opportunities to leverage fund-
21 ing to maximize non-Federal investment in the
22 construction, modification, operation, or main-
23 tenance of a target shooting range.

24 (e) ANNUAL REPORTS.—Not later than 1 year after
25 the date of the enactment of this title and annually there-

1 after through fiscal year 2033, the Secretaries shall sub-
2 mit to the Committee on Energy and Natural Resources
3 of the Senate and the Committee on Natural Resources
4 of the House of Representatives a report describing the
5 progress made with respect to the implementation of this
6 section.

7 (f) SAVINGS CLAUSE.—Nothing in this section affects
8 the authority of the Secretary concerned to administer a
9 target shooting range that is in addition to the target
10 shooting ranges that meet the requirements described in
11 subsection (b)(3)(B) on Federal recreational lands and
12 waters administered by the Secretary concerned.

13 **SEC. 124. RESTORATION OF OVERNIGHT CAMPSITES.**

14 (a) DEFINITIONS.—In this section:

15 (1) RECREATION AREA.—The term “Recreation
16 Area” means the recreation area and grounds asso-
17 ciated with the recreation area located in the
18 Ouachita National Forest, approximately six miles
19 north of Langley, Arkansas, in southern Mont-
20 gomery County, Arkansas.

21 (2) SECRETARY.—The term “Secretary” means
22 the Secretary of Agriculture.

23 (b) IN GENERAL.—The Secretary shall—

24 (1) not later than 6 months after the date of
25 the enactment of this title, identify 54 areas within

1 the Recreation Area that may be suitable for over-
2 night camping; and

3 (2) not later than 2 years after the date of the
4 enactment of this title—

5 (A) review each area identified under para-
6 graph (1); and

7 (B) from the areas so identified, select and
8 establish at least 27 campsites and related fa-
9 cilities within the Recreation Area for public
10 use.

11 (c) REQUIREMENTS RELATED TO CAMPSITES AND
12 RELATED FACILITIES.—The Secretary shall—

13 (1) ensure that at least 27 campsites are avail-
14 able under subsection (b), of which not less than 8
15 shall have electric and water hookups; and

16 (2) ensure that each campsite and related facil-
17 ity identified or established under subsection (b) is
18 located outside of the 1 percent annual exceedance
19 probability flood elevation.

20 (d) REOPENING OF CERTAIN SITES.—Not later than
21 30 days after the date of the enactment of this title, the
22 Secretary shall open each campsite within the Recreation
23 Area that—

24 (1) exists on the date of the enactment of this
25 title;

1 (2) is located outside of the 1 percent annual
2 exceedance probability flood elevation;

3 (3) was in operation on June 1, 2010; and

4 (4) would not interfere with any current (as of
5 the date of the enactment of this title) day use
6 areas.

7 (e) DAY USE AREAS.—Not later than 1 year after
8 the date of the enactment of this title, the Secretary shall
9 take such actions as are necessary to rehabilitate and
10 make publicly accessible the areas in the Recreation Area
11 identified for year-round day use, including the following:

12 (1) Loop A.

13 (2) Loop B.

14 (3) The covered, large-group picnic pavilion in
15 Loop D.

16 (4) The parking lot in Loop D.

17 **SEC. 125. FEDERAL INTERIOR LAND MEDIA.**

18 (a) FILMING IN NATIONAL PARK SYSTEM UNITS.—

19 (1) IN GENERAL.—Chapter 1009 of title 54,
20 United States Code, is amended by striking section
21 100905 and inserting the following:

22 **“§ 100905. Filming and still photography in System**
23 **units**

24 “(a) FILMING AND STILL PHOTOGRAPHY.—

1 “(1) IN GENERAL.—The Secretary shall ensure
2 that a filming or still photography activity or similar
3 project in a System unit (referred to in this section
4 as a ‘filming or still photography activity’) and the
5 authorizing or permitting of a filming or still pho-
6 tography activity are carried out consistent with—

7 “(A) the laws and policies applicable to the
8 Service; and

9 “(B) an applicable general management
10 plan.

11 “(2) NO PERMITS REQUIRED.—The Secretary
12 shall not require an authorization or a permit or as-
13 sess a fee, if a fee for a filming or still photography
14 activity is not otherwise required by law, for a film-
15 ing or still photography activity that—

16 “(A)(i) involves fewer than 6 individuals;
17 and

18 “(ii) meets each of the requirements de-
19 scribed in paragraph (5); or

20 “(B) is merely incidental to, or docu-
21 menting, an activity or event that is allowed or
22 authorized at the System unit, regardless of—

23 “(i) the number of individuals partici-
24 pating in the allowed or authorized activity
25 or event; or

1 “(ii) whether any individual receives
2 compensation for any products of the film-
3 ing or still photography activity.

4 “(3) FILMING AND STILL PHOTOGRAPHY AU-
5 THORIZATIONS FOR DE MINIMIS USE.—

6 “(A) IN GENERAL.—The Secretary shall
7 establish a de minimis use authorization for
8 certain filming or still photography activities
9 that meets the requirements described in sub-
10 paragraph (F).

11 “(B) POLICY.—For a filming or still pho-
12 tography activity that meets the requirements
13 described in subparagraph (F), the Secretary—

14 “(i) may require a de minimis use au-
15 thorization; and

16 “(ii) shall not require a permit.

17 “(C) NO FEE.—The Secretary shall not
18 charge a fee for a de minimis use authorization
19 under this paragraph.

20 “(D) ACCESS.—The Secretary shall enable
21 members of the public to apply for and obtain
22 a de minimis use authorization under this para-
23 graph—

24 “(i) through the website of the Serv-
25 ice; and

1 “(ii) in person at the field office of
2 the applicable System unit.

3 “(E) ISSUANCES.—The Secretary shall—

4 “(i) establish a procedure—

5 “(I) to automate the approval of
6 an application submitted through the
7 website of the Service under subpara-
8 graph (D)(i); and

9 “(II) to issue a de minimis use
10 authorization under this paragraph
11 immediately on receipt of an applica-
12 tion that is submitted in person at the
13 field office of the applicable System
14 unit under subparagraph (D)(ii); and

15 “(ii) if an application submitted under
16 subparagraph (D) meets the requirements
17 of this paragraph, immediately on receipt
18 of the application issue a de minimis use
19 authorization for the filming or still pho-
20 tography activity.

21 “(F) REQUIREMENTS.—The Secretary
22 shall only issue a de minimis use authorization
23 under this paragraph if the filming or still pho-
24 tography activity—

1 “(i) involves a group of not fewer than
2 6 individuals and not more than 8 individ-
3 uals;

4 “(ii) meets each of the requirements
5 described in paragraph (5); and

6 “(iii) is consistent with subsection (c).

7 “(G) CONTENTS.—A de minimis use au-
8 thorization issued under this paragraph shall
9 list the requirements described in subparagraph
10 (F).

11 “(4) REQUIRED PERMITS.—

12 “(A) IN GENERAL.—Except as provided in
13 paragraph (2)(B), the Secretary may require a
14 permit application and, if a permit is issued, as-
15 sess a reasonable fee, as described in subsection
16 (b)(1), for a filming or still photography activ-
17 ity that—

18 “(i) involves more than 8 individuals;

19 or

20 “(ii) does not meet each of the re-
21 quirements described in paragraph (5).

22 “(B) WILDERNESS ACT CLARIFICATION.—

23 No provision of this subsection is intended to or
24 shall be construed to conflict with the provi-

1 sions of the Wilderness Act of 1964 (16 U.S.C.
2 1131 et seq.).

3 “(5) REQUIREMENTS FOR FILMING OR STILL
4 PHOTOGRAPHY ACTIVITY.—The requirements re-
5 ferred to in paragraphs (2)(A)(ii), (3)(F)(ii), (4)(B),
6 and (7)(C) are as follows:

7 “(A) A person conducts the filming or still
8 photography activity in a manner that—

9 “(i) does not impede or intrude on the
10 experience of other visitors to the applica-
11 ble System unit;

12 “(ii) except as otherwise authorized,
13 does not disturb or negatively impact—

14 “(I) a natural or cultural re-
15 source; or

16 “(II) an environmental or scenic
17 value; and

18 “(iii) allows for equitable allocation or
19 use of facilities of the applicable System
20 unit.

21 “(B) The person conducts the filming or
22 still photography activity at a location in which
23 the public is allowed.

1 “(C) The person conducting the filming or
2 still photography activity does not require the
3 exclusive use of a site or area.

4 “(D) The person does not conduct the
5 filming or still photography activity in a local-
6 ized area that receives a very high volume of
7 visitation.

8 “(E) The person conducting the filming or
9 still photography activity does not use a set or
10 staging equipment, subject to the limitation
11 that handheld equipment (such as a tripod,
12 monopod, and handheld lighting equipment)
13 shall not be considered staging equipment for
14 the purposes of this subparagraph.

15 “(F) The person conducting the filming or
16 still photography activity complies with and ad-
17 heres to visitor use policies, practices, and regu-
18 lations applicable to the applicable System unit.

19 “(G) The filming or still photography ac-
20 tivity is not likely to result in additional admin-
21 istrative costs being incurred by the Secretary
22 with respect to the filming or still photography
23 activity, as determined by the Secretary.

24 “(H) The person conducting the filming or
25 still photography activity complies with other

1 applicable Federal, State, and local laws (in-
2 cluding regulations), including laws relating to
3 the use of unmanned aerial equipment.

4 “(6) CONTENT CREATION.—Regardless of dis-
5 tribution platform, any video, still photograph, or
6 audio recording for commercial or noncommercial
7 content creation in a System unit shall be considered
8 to be a filming or still photography activity under
9 this subsection.

10 “(7) EFFECT.—

11 “(A) PERMITS REQUESTED THOUGH NOT
12 REQUIRED.—On the request of a person intend-
13 ing to carry out a filming or still photography
14 activity, the Secretary may issue a permit for
15 the filming or still photography activity, even if
16 a permit for the filming or still photography ac-
17 tivity is not required under this section.

18 “(B) NO ADDITIONAL PERMITS, COMMER-
19 CIAL USE AUTHORIZATIONS, OR FEES FOR
20 FILMING AND STILL PHOTOGRAPHY AT AU-
21 THORIZED EVENTS.—A filming or still photog-
22 raphy activity at an activity or event that is al-
23 lowed or authorized, including a wedding, en-
24 gagement party, family reunion, or celebration

1 of a graduate, shall be considered merely inci-
2 dental for the purposes of paragraph (2)(B).

3 “(C) MONETARY COMPENSATION.—The re-
4 ceipt of monetary compensation by the person
5 conducting the filming or still photography ac-
6 tivity shall not affect the permissibility of the
7 filming or still photography activity.

8 “(b) FEES AND RECOVERY COSTS.—

9 “(1) FEES.—The reasonable fees referred to in
10 subsection (a)(4) shall meet each of the following
11 criteria:

12 “(A) The reasonable fee shall provide a
13 fair return to the United States.

14 “(B) The reasonable fee shall be based on
15 the following criteria:

16 “(i) The number of days of the film-
17 ing or still photography activity.

18 “(ii) The size of the film or still pho-
19 tography crew present in the System unit.

20 “(iii) The quantity and type of film or
21 still photography equipment present in the
22 System unit.

23 “(iv) Any other factors that the Sec-
24 retary determines to be necessary.

25 “(2) RECOVERY OF COSTS.—

1 “(A) IN GENERAL.—The Secretary shall
2 collect from the applicant for the applicable per-
3 mit any costs incurred by the Secretary related
4 to a filming or still photography activity subject
5 to a permit under subsection (a)(4), including—

6 “(i) the costs of the review or issuance
7 of the permit; and

8 “(ii) related administrative and per-
9 sonnel costs.

10 “(B) EFFECT ON FEES COLLECTED.—All
11 costs recovered under subparagraph (A) shall
12 be in addition to the fee described in paragraph
13 (1).

14 “(3) USE OF PROCEEDS.—

15 “(A) FEES.—All fees collected under this
16 section shall—

17 “(i) be available for expenditure by
18 the Secretary, without further appropria-
19 tion; and

20 “(ii) remain available until expended.

21 “(B) COSTS.—All costs recovered under
22 paragraph (2)(A) shall—

23 “(i) be available for expenditure by
24 the Secretary, without further appropria-

1 tion, at the System unit at which the costs
2 are collected; and

3 “(ii) remain available until expended.

4 “(c) PROTECTION OF RESOURCES.—The Secretary
5 shall not allow a person to undertake a filming or still
6 photography activity if the Secretary determines that—

7 “(1) there is a likelihood that the person would
8 cause resource damage at the System unit, except as
9 otherwise authorized;

10 “(2) the person would create an unreasonable
11 disruption of the use and enjoyment by the public of
12 the System unit; or

13 “(3) the filming or still photography activity
14 poses a health or safety risk to the public.

15 “(d) PROCESSING OF PERMIT APPLICATIONS.—

16 “(1) IN GENERAL.—The Secretary shall estab-
17 lish a process to ensure that the Secretary responds
18 in a timely manner to an application for a permit for
19 a filming or still photography activity required under
20 subsection (a)(4).

21 “(2) COORDINATION.—If a permit is required
22 under this section for 2 or more Federal agencies or
23 System units, the Secretary and the head of any
24 other applicable Federal agency, as applicable, shall,
25 to the maximum extent practicable, coordinate per-

1 mit processing procedures, including through the use
 2 of identifying a lead agency or lead System unit—

3 “(A) to review the application for the per-
 4 mit;

5 “(B) to issue the permit; and

6 “(C) to collect any required fees.”.

7 (2) CLERICAL AMENDMENT.—The table of sec-
 8 tions for chapter 1009 of title 54, United States
 9 Code, is amended by striking the item relating to
 10 section 100905 and inserting the following:

“100905. Filming and still photography in System units.”.

11 (b) FILMING ON OTHER FEDERAL LAND.—Public
 12 Law 106–206 (16 U.S.C. 460l–6d) is amended by striking
 13 section 1 and inserting the following:

14 **“SEC. 1. FILMING AND STILL PHOTOGRAPHY.**

15 “(a) FILMING AND STILL PHOTOGRAPHY.—

16 “(1) IN GENERAL.—The Secretary concerned
 17 shall ensure that a filming or still photography activ-
 18 ity or similar project at a Federal land management
 19 unit (referred to in this section as a ‘filming or still
 20 photography activity’) and the authorizing or per-
 21 mitting of a filming or still photography activity are
 22 carried out consistent with—

23 “(A) the laws and policies applicable to the
 24 Secretary concerned; and

1 “(B) an applicable general management
2 plan.

3 “(2) NO PERMITS REQUIRED.—The Secretary
4 concerned shall not require an authorization or a
5 permit or assess a fee, if a fee for a filming or still
6 photography activity is not otherwise required by
7 law, for a filming or still photography activity that—

8 “(A)(i) involves fewer than 6 individuals;
9 and

10 “(ii) meets each of the requirements de-
11 scribed in paragraph (5); or

12 “(B) is merely incidental to, or docu-
13 menting, an activity or event that is allowed or
14 authorized at the Federal land management
15 unit, regardless of—

16 “(i) the number of individuals partici-
17 pating in the allowed or authorized activity
18 or event; or

19 “(ii) whether any individual receives
20 compensation for any products of the film-
21 ing or still photography activity.

22 “(3) FILMING AND STILL PHOTOGRAPHY AU-
23 THORIZATIONS FOR DE MINIMIS USE.—

24 “(A) IN GENERAL.—The Secretary con-
25 cerned shall establish a de minimis use author-

1 ization for certain filming or still photography
2 activities that meets the requirements described
3 in subparagraph (F).

4 “(B) POLICY.—For a filming or still pho-
5 tography activity that meets the requirements
6 described in subparagraph (F), the Secretary
7 concerned—

8 “(i) may require a de minimis use au-
9 thorization; and

10 “(ii) shall not require a permit.

11 “(C) NO FEE.—The Secretary concerned
12 shall not charge a fee for a de minimis use au-
13 thorization under this paragraph.

14 “(D) ACCESS.—The Secretary concerned
15 shall enable members of the public to apply for
16 and obtain a de minimis use authorization
17 under this paragraph—

18 “(i) through the website of the De-
19 partment of the Interior or the Forest
20 Service, as applicable; and

21 “(ii) in person at the field office for
22 the Federal land management unit.

23 “(E) ISSUANCES.—The Secretary con-
24 cerned shall—

25 “(i) establish a procedure—

1 “(I) to automate the approval of
2 an application submitted through the
3 website of the Department of the In-
4 terior or the Forest Service, as appli-
5 cable, under subparagraph (D)(i); and

6 “(II) to issue a de minimis use
7 authorization under this paragraph
8 immediately on receipt of an applica-
9 tion that is submitted in person at the
10 field office for the Federal land man-
11 agement unit under subparagraph
12 (D)(ii); and

13 “(ii) if an application submitted under
14 subparagraph (D) meets the requirements
15 of this paragraph, immediately on receipt
16 of the application issue a de minimis use
17 authorization for the filming or still pho-
18 tography activity.

19 “(F) TERMS.—The Secretary concerned
20 shall only issue a de minimis use authorization
21 under this paragraph if the filming or still pho-
22 tography activity—

23 “(i) involves a group of not fewer than
24 6 individuals and not more than 8 individ-
25 uals;

1 “(ii) meets each of the requirements
2 described in paragraph (5); and

3 “(iii) is consistent with subsection (c).

4 “(G) CONTENTS.—A de minimis use au-
5 thorization issued under this paragraph shall
6 list the requirements described in subparagraph
7 (F).

8 “(4) REQUIRED PERMITS.—

9 “(A) IN GENERAL.—Except as provided in
10 paragraph (2)(B), the Secretary concerned may
11 require a permit application and, if a permit is
12 issued, assess a reasonable fee, as described in
13 subsection (b)(1), for a filming or still photog-
14 raphy activity that—

15 “(i) involves more than 8 individuals;

16 or

17 “(ii) does not meet each of the re-
18 quirements described in paragraph (5).

19 “(B) WILDERNESS ACT CLARIFICATION.—

20 No provision of this subsection is intended to or
21 shall be construed to conflict with the provi-
22 sions of the Wilderness Act of 1964 (16 U.S.C.
23 1131 et seq.).

24 “(5) REQUIREMENTS FOR FILMING OR STILL
25 PHOTOGRAPHY ACTIVITY.—The requirements re-

1 ferred to in paragraphs (2)(A)(ii), (3)(F)(ii), (4)(B),
2 and (7)(C) are as follows:

3 “(A) A person conducts the filming or still
4 photography activity in a manner that—

5 “(i) does not impede or intrude on the
6 experience of other visitors to the Federal
7 land management unit;

8 “(ii) except as otherwise authorized,
9 does not disturb or negatively impact—

10 “(I) a natural or cultural re-
11 source; or

12 “(II) an environmental or scenic
13 value; and

14 “(iii) allows for equitable allocation or
15 use of facilities of the Federal land man-
16 agement unit.

17 “(B) The person conducts the filming or
18 still photography activity at a location in which
19 the public is allowed.

20 “(C) The person conducting the filming or
21 still photography activity does not require the
22 exclusive use of a site or area.

23 “(D) The person does not conduct the
24 filming or still photography activity in a local-

1 ized area that receives a very high volume of
2 visitation.

3 “(E) The person conducting the filming or
4 still photography activity does not use a set or
5 staging equipment, subject to the limitation
6 that handheld equipment (such as a tripod,
7 monopod, and handheld lighting equipment)
8 shall not be considered staging equipment for
9 the purposes of this subparagraph.

10 “(F) The person conducting the filming or
11 still photography activity complies with and ad-
12 heres to visitor use policies, practices, and regu-
13 lations applicable to the Federal land manage-
14 ment unit.

15 “(G) The filming or still photography ac-
16 tivity is not likely to result in additional admin-
17 istrative costs being incurred by the Secretary
18 concerned with respect to the filming or still
19 photography activity, as determined by the Sec-
20 retary concerned.

21 “(H) The person conducting the filming or
22 still photography activity complies with other
23 applicable Federal, State, and local laws (in-
24 cluding regulations), including laws relating to
25 the use of unmanned aerial equipment.

1 “(6) CONTENT CREATION.—Regardless of dis-
2 tribution platform, any video, still photograph, or
3 audio recording for commercial or noncommercial
4 content creation at a Federal land management unit
5 shall be considered to be a filming or still photog-
6 raphy activity under this subsection.

7 “(7) EFFECT.—

8 “(A) PERMITS REQUESTED THOUGH NOT
9 REQUIRED.—On the request of a person intend-
10 ing to carry out a filming or still photography
11 activity, the Secretary concerned may issue a
12 permit for the filming or still photography ac-
13 tivity, even if a permit for the filming or still
14 photography activity is not required under this
15 section.

16 “(B) NO ADDITIONAL PERMITS, COMMERCIAL
17 USE AUTHORIZATIONS, OR FEES FOR
18 FILMING AND STILL PHOTOGRAPHY AT AU-
19 THORIZED EVENTS.—A filming or still photog-
20 raphy activity at an activity or event that is al-
21 lowed or authorized, including a wedding, en-
22 gagement party, family reunion, or celebration
23 of a graduate, shall be considered merely inci-
24 dental for the purposes of paragraph (2)(B).

1 “(C) MONETARY COMPENSATION.—The re-
2 ceipt of monetary compensation by the person
3 engaged in the filming or still photography ac-
4 tivity shall not affect the permissibility of the
5 filming or still photography activity.

6 “(b) FEES AND RECOVERY COSTS.—

7 “(1) FEES.—The reasonable fees referred to in
8 subsection (a)(4) shall meet each of the following
9 criteria:

10 “(A) The reasonable fee shall provide a
11 fair return to the United States.

12 “(B) The reasonable fee shall be based on
13 the following criteria:

14 “(i) The number of days of the film-
15 ing or still photography activity.

16 “(ii) The size of the film or still pho-
17 tography crew present at the Federal land
18 management unit.

19 “(iii) The quantity and type of film or
20 still photography equipment present at the
21 Federal land management unit.

22 “(iv) Any other factors that the Sec-
23 retary concerned determines to be nec-
24 essary.

25 “(2) RECOVERY OF COSTS.—

1 “(A) IN GENERAL.—The Secretary con-
2 cerned shall collect from the applicant for the
3 applicable permit any costs incurred by the Sec-
4 retary concerned related to a filming or still
5 photography activity subject to a permit under
6 subsection (a)(4), including—

7 “(i) the costs of the review or issuance
8 of the permit; and

9 “(ii) related administrative and per-
10 sonnel costs.

11 “(B) EFFECT ON FEES COLLECTED.—All
12 costs recovered under subparagraph (A) shall
13 be in addition to the fee described in paragraph
14 (1).

15 “(3) USE OF PROCEEDS.—

16 “(A) FEES.—All fees collected under this
17 section shall—

18 “(i) be available for expenditure by
19 the Secretary concerned, without further
20 appropriation; and

21 “(ii) remain available until expended.

22 “(B) COSTS.—All costs recovered under
23 paragraph (2)(A) shall—

24 “(i) be available for expenditure by
25 the Secretary concerned, without further

1 appropriation, at the Federal land manage-
2 ment unit at which the costs are collected;
3 and

4 “(ii) remain available until expended.

5 “(c) PROTECTION OF RESOURCES.—The Secretary
6 concerned shall not allow a person to undertake a filming
7 or still photography activity if the Secretary concerned de-
8 termines that—

9 “(1) there is a likelihood that the person would
10 cause resource damage at the Federal land manage-
11 ment unit, except as otherwise authorized;

12 “(2) the person would create an unreasonable
13 disruption of the use and enjoyment by the public of
14 the Federal land management unit; or

15 “(3) the filming or still photography activity
16 poses a health or safety risk to the public.

17 “(d) PROCESSING OF PERMIT APPLICATIONS.—

18 “(1) IN GENERAL.—The Secretary concerned
19 shall establish a process to ensure that the Secretary
20 concerned responds in a timely manner to an appli-
21 cation for a permit for a filming or still photography
22 activity required under subsection (a)(4).

23 “(2) COORDINATION.—If a permit is required
24 under this section for 2 or more Federal agencies or
25 Federal land management units, the Secretary con-

1 cerned and the head of any other applicable Federal
2 agency, as applicable, shall, to the maximum extent
3 practicable, coordinate permit processing procedures,
4 including through the use of identifying a lead agen-
5 cy or lead Federal land management unit—

6 “(A) to review the application for the per-
7 mit;

8 “(B) to issue the permit; and

9 “(C) to collect any required fees.

10 “(e) DEFINITIONS.—In this section:

11 “(1) FEDERAL LAND MANAGEMENT UNIT.—The
12 term ‘Federal land management unit’ means—

13 “(A) Federal land (other than National
14 Park System land) under the jurisdiction of the
15 Secretary of the Interior; and

16 “(B) National Forest System land.

17 “(2) SECRETARY CONCERNED.—The term ‘Sec-
18 retary concerned’ means—

19 “(A) the Secretary of the Interior, with re-
20 spect to land described in paragraph (1)(A);
21 and

22 “(B) the Secretary of Agriculture, with re-
23 spect to land described in paragraph (1)(B).”.

1 **SEC. 126. CAPE AND ANTLER PRESERVATION ENHANCE-**
2 **MENT.**

3 Section 104909(c) of title 54, United States Code,
4 is amended by striking “meat from” and inserting “meat
5 and any other part of an animal removed pursuant to”.

6 **SEC. 127. MOTORIZED AND NONMOTORIZED ACCESS.**

7 (a) IN GENERAL.—The Secretary concerned shall
8 seek to have, not later than 5 years after the date of the
9 enactment of this title, in a printed and publicly available
10 format that is compliant with the format for geographic
11 information systems—

12 (1) for each district administered by the Direc-
13 tor of the Bureau of Land Management, a ground
14 transportation linear feature authorized for public
15 use or administrative use; and

16 (2) for each unit of the National Forest Sys-
17 tem, a motor vehicle use map.

18 (b) OVER-SNOW VEHICLE-USE MAPS.—The Sec-
19 retary concerned shall seek to have, not later than 10
20 years after the date of the enactment of this title, in a
21 printed and publicly available format that is compliant
22 with the format for geographic information systems, an
23 over-snow vehicle-use map for each unit of Federal rec-
24 reational lands and waters administered by the Chief of
25 the Forest Service or Director of the Bureau of Land

1 Management on which over-snow vehicle-use occurs, in ac-
2 cordance with existing law.

3 (c) OUT-OF-DATE MAPS.—Not later than 20 years
4 after the date on which the Secretary concerned adopted
5 or reviewed, through public notice and comment, a map
6 described in subsection (a) or (b), the Secretary concerned
7 shall seek to review, through public notice and comment,
8 and update, as necessary, the applicable map.

9 (d) MOTORIZED AND NONMOTORIZED ACCESS.—The
10 Secretaries shall seek to create additional opportunities,
11 as appropriate, for motorized and nonmotorized access
12 and opportunities on Federal recreational lands and
13 waters administered by the Chief of the Forest Service or
14 the Director of the Bureau of Land Management.

15 (e) SAVINGS CLAUSE.—Nothing in this section pro-
16 hibits a lawful use, including a motorized or nonmotorized
17 use, on Federal recreational lands and waters adminis-
18 tered by the Chief of the Forest Service or the Director
19 of the Bureau of Land Management, if the Secretary con-
20 cerned fails to meet a timeline established under this sec-
21 tion.

22 **SEC. 128. AQUATIC RESOURCE ACTIVITIES ASSISTANCE.**

23 (a) DEFINITIONS.—In this section:

24 (1) AQUATIC NUISANCE SPECIES TASK
25 FORCE.—The term “Aquatic Nuisance Species Task

1 Force” means the Aquatic Nuisance Species Task
2 Force established by section 1201(a) of the Non-
3 indigenous Aquatic Nuisance Prevention and Control
4 Act of 1990 (16 U.S.C. 4721(a)).

5 (2) FEDERAL LAND AND WATER.—The term
6 “Federal land and water” means Federal land and
7 water operated and maintained by the Bureau of
8 Land Management, Bureau of Reclamation, Forest
9 Service, or National Park Service, as applicable.

10 (3) INSPECTION.—The term “inspection”
11 means an inspection to prevent and respond to bio-
12 logical invasions of an aquatic ecosystem.

13 (4) PARTNER.—The term “partner” means—
14 (A) a Reclamation State;
15 (B) an Indian Tribe in a Reclamation
16 State;
17 (C) an applicable nonprofit organization in
18 a Reclamation State; or
19 (D) a unit of local government in a Rec-
20 lamation State.

21 (5) RECLAMATION STATE.—The term “Rec-
22 lamation State” includes any of the States of—
23 (A) Alaska;
24 (B) Arizona;
25 (C) California;

- 1 (D) Colorado;
- 2 (E) Idaho;
- 3 (F) Kansas;
- 4 (G) Montana;
- 5 (H) Nebraska;
- 6 (I) Nevada;
- 7 (J) New Mexico;
- 8 (K) North Dakota;
- 9 (L) Oklahoma;
- 10 (M) Oregon;
- 11 (N) South Dakota;
- 12 (O) Texas;
- 13 (P) Utah;
- 14 (Q) Washington; and
- 15 (R) Wyoming.

16 (6) SECRETARIES.—The term “Secretaries”
17 means each of—

18 (A) the Secretary, acting through the Di-
19 rector of the Bureau of Land Management, the
20 Commissioner of Reclamation, and the Director
21 of the National Park Service; and

22 (B) the Secretary of Agriculture, acting
23 through the Chief of the Forest Service.

24 (7) RECLAMATION PROJECT.—The term “rec-
25 lamation project” has the meaning given such term

1 in section 2803(3) of the Reclamation Projects Au-
2 thorization and Adjustment Act of 1992 (16 U.S.C.
3 460l-32(3)).

4 (b) AUTHORITY OF BUREAU OF LAND MANAGE-
5 MENT, BUREAU OF RECLAMATION, NATIONAL PARK
6 SERVICE, AND FOREST SERVICE WITH RESPECT TO CER-
7 TAIN AQUATIC RESOURCE ACTIVITIES ON FEDERAL LAND
8 AND WATER.—

9 (1) IN GENERAL.—The head of each Federal
10 land management agency shall have the authority to
11 carry out inspections and decontamination of
12 watercraft entering or leaving Federal land and
13 waters under the jurisdiction of the respective Fed-
14 eral land management agency.

15 (2) REQUIREMENTS.—The Secretaries shall—

16 (A) in carrying out an inspection under
17 paragraph (1), coordinate with 1 or more part-
18 ners;

19 (B) consult with the Aquatic Nuisance
20 Species Task Force to identify potential im-
21 provements and efficiencies in the detection and
22 management of invasive species on Federal land
23 and water; and

24 (C) to the maximum extent practicable, in-
25 spect vessels in a manner that minimizes dis-

1 ructions to public access for boating and recre-
2 ation in noncontaminated vessels.

3 (3) PARTNERSHIPS.—The Secretaries may
4 enter into a partnership to provide technical assist-
5 ance to a partner—

6 (A) to carry out an inspection or decon-
7 tamination of vessels; or

8 (B) to establish an inspection and decon-
9 tamination station for vessels.

10 (4) LIMITATION.—The Secretaries shall not
11 prohibit access to Federal land and water for vessels
12 under this subsection in the absence of an inspector.

13 (5) DATA SHARING.—The Secretaries shall
14 make available to a Reclamation State any data
15 gathered related to inspections carried out in the
16 Reclamation State under this subsection.

17 (c) GRANT PROGRAM FOR RECLAMATION STATES
18 FOR VESSEL INSPECTION AND DECONTAMINATION STA-
19 TIONS.—

20 (1) VESSELS INSPECTIONS IN RECLAMATION
21 STATES.—Subject to the availability of appropria-
22 tions, the Secretary, acting through the Commis-
23 sioner of Reclamation, shall establish a competitive
24 grant program to provide grants to partners to con-
25 duct inspections and decontamination of vessels op-

1 erating in Reclamation projects, including to pur-
2 chase, establish, operate, or maintain a vessel in-
3 spection and decontamination station.

4 (2) COST SHARE.—The Federal share of the
5 cost of a grant under paragraph (1), including per-
6 sonnel costs, shall not exceed 75 percent.

7 (3) STANDARDS.—Before awarding a grant
8 under paragraph (1), the Secretary shall determine
9 that the project is technically and financially fea-
10 sible.

11 (4) COORDINATION.—In carrying out this sub-
12 section, the Secretary shall coordinate with—

13 (A) each of the Reclamation States;

14 (B) affected Indian Tribes; and

15 (C) the Aquatic Nuisance Species Task
16 Force.

17 **Subtitle C—Supporting Gateway**
18 **Communities and Addressing**
19 **Park Overcrowding**

20 **SEC. 131. GATEWAY COMMUNITIES.**

21 (a) ASSESSMENT OF IMPACTS AND NEEDS IN GATE-
22 WAY COMMUNITIES.—Using existing funds available to
23 the Secretaries, the Secretaries—

24 (1) shall collaborate with State and local gov-
25 ernments, Indian Tribes, housing authorities, appli-

1 cable trade associations, nonprofit organizations,
2 and other relevant stakeholders to identify needs and
3 economic impacts in gateway communities, includ-
4 ing—

5 (A) housing shortages;

6 (B) demands on existing municipal infra-
7 structure;

8 (C) accommodation and management of
9 sustainable visitation; and

10 (D) the expansion and diversification of
11 visitor experiences by bolstering the visitation
12 at—

13 (i) underutilized locations on nearby
14 Federal recreational lands and waters that
15 are suitable for developing, expanding, or
16 enhancing recreation use, as identified by
17 the Secretaries; or

18 (ii) lesser-known recreation sites, as
19 identified under section 5(b)(1)(B), on
20 nearby land managed by a State agency or
21 a local agency; and

22 (2) may address a need identified under para-
23 graph (1) by—

1 (A) providing financial or technical assist-
2 ance to a gateway community under an existing
3 program;

4 (B) entering into a lease, right-of-way, or
5 easement, in accordance with applicable laws; or

6 (C) issuing an entity referred to in para-
7 graph (1) a special use permit (other than a
8 special recreation permit (as defined in section
9 802 of the Federal Lands Recreation Enhance-
10 ment Act (16 U.S.C. 6801)), in accordance
11 with applicable laws.

12 (b) TECHNICAL AND FINANCIAL ASSISTANCE TO
13 BUSINESSES.—

14 (1) IN GENERAL.—The Secretary of Agriculture
15 (acting through the Administrator of the Rural
16 Business-Cooperative Service), in coordination with
17 the Secretary and the Secretary of Commerce, shall
18 provide to businesses in gateway communities the
19 assistance described in paragraph (2) to establish,
20 operate, or expand infrastructure to accommodate
21 and manage sustainable visitation, including hotels,
22 campgrounds, and restaurants.

23 (2) ASSISTANCE.—The Secretary of Agriculture
24 may provide assistance under paragraph (1) through
25 the use of existing, or the establishment of new, en-

1 trepreneur and vocational training programs, tech-
2 nical assistance programs, low-interest business loan
3 programs, and loan guarantee programs.

4 (c) PARTNERSHIPS.—In carrying out this section, the
5 Secretaries may, in accordance with applicable laws, enter
6 into a public-private partnership, cooperative agreement,
7 memorandum of understanding, or similar agreement with
8 a gateway community or a business in a gateway commu-
9 nity.

10 **SEC. 132. IMPROVED RECREATION VISITATION DATA.**

11 (a) CONSISTENT VISITATION DATA.—

12 (1) ANNUAL VISITATION DATA.—The Secre-
13 taries shall establish a single visitation data report-
14 ing system to report accurate annual visitation data,
15 in a consistent manner, for—

16 (A) each unit of Federal recreational lands
17 and waters; and

18 (B) land held in trust for an Indian Tribe,
19 on request of the Indian Tribe.

20 (2) CATEGORIES OF USE.—Within the visitation
21 data reporting system established under paragraph
22 (1), the Secretaries shall—

23 (A) establish multiple categories of dif-
24 ferent recreation activities that are reported
25 consistently across agencies; and

1 (B) provide an estimate of the number of
2 visitors for each applicable category established
3 under subparagraph (A) for each unit of Fed-
4 eral recreational lands and waters.

5 (b) REAL-TIME DATA PILOT PROGRAM.—

6 (1) IN GENERAL.—Not later than 2 years after
7 the date of the enactment of this title, using existing
8 funds available to the Secretaries, the Secretaries
9 shall carry out a pilot program, to be known as the
10 “Real-Time Data Pilot Program” (referred to in this
11 section as the “Pilot Program”), to make available
12 to the public, for each unit of Federal recreational
13 lands and waters selected for participation in the
14 Pilot Program under paragraph (2)—

15 (A) real-time or predictive data on visita-
16 tion (including data and resources publicly
17 available from existing nongovernmental plat-
18 form) at—

19 (i) the unit of Federal recreational
20 lands and waters;

21 (ii) to the extent practicable, areas
22 within the unit of Federal recreational
23 lands and waters; and

24 (iii) to the extent practicable, recre-
25 ation sites managed by any other Federal

1 agency, a State agency, or a local agency
2 that are located near the unit of Federal
3 recreational lands and waters; and

4 (B) through multiple media platforms, in-
5 formation about lesser-known recreation sites
6 located near the unit of Federal recreational
7 lands and waters (including recreation sites
8 managed by any other Federal agency, a State
9 agency, or a local agency), in an effort to en-
10 courage visitation among recreational sites.

11 (2) LOCATIONS.—

12 (A) INITIAL NUMBER OF UNITS.—On es-
13 tablishment of the Pilot Program, the Secre-
14 taries shall select for participation in the Pilot
15 Program—

16 (i) 15 units of Federal recreational
17 lands and waters managed by the Sec-
18 retary; and

19 (ii) 5 units of Federal recreational
20 lands and waters managed by the Sec-
21 retary of Agriculture (acting through the
22 Chief of the Forest Service).

23 (B) EXPANSION.—Not later than 5 years
24 after the date of the enactment of this title, the
25 Secretaries shall expand the Pilot Program by

1 selecting 80 additional units of Federal rec-
2 reational lands and waters managed by the Sec-
3 retaries for participation in the Pilot Program,
4 not fewer than 50 of which shall be units man-
5 aged by the Secretary.

6 (C) FEEDBACK; SUPPORT OF GATEWAY
7 COMMUNITIES.—The Secretaries shall—

8 (i) solicit feedback regarding partici-
9 pation in the Pilot Program from commu-
10 nities adjacent to units of Federal rec-
11 reational lands and waters and the public;
12 and

13 (ii) in carrying out subparagraphs (A)
14 and (B), select a unit of Federal recreation
15 lands and waters to participate in the Pilot
16 Program only if the community adjacent to
17 the unit of Federal recreational lands and
18 waters is supportive of the participation of
19 the unit of Federal recreational lands and
20 waters in the Pilot Program.

21 (3) DISSEMINATION OF INFORMATION.—The
22 Secretaries may disseminate the information de-
23 scribed in paragraph (1) directly or through an enti-
24 ty or organization referred to in subsection (c).

1 (c) COMMUNITY PARTNERS AND THIRD-PARTY PRO-
2 VIDERS.—For purposes of carrying out this section, the
3 Secretary concerned may—

4 (1) coordinate and partner with—

5 (A) communities adjacent to units of Fed-
6 eral recreational lands and waters;

7 (B) State and local outdoor recreation and
8 tourism offices;

9 (C) local governments;

10 (D) Indian Tribes;

11 (E) trade associations;

12 (F) local outdoor recreation marketing or-
13 ganizations;

14 (G) permitted facilitated recreation pro-
15 viders; or

16 (H) other relevant stakeholders; and

17 (2) coordinate or enter into agreements, as ap-
18 propriate, with private sector and nonprofit part-
19 ners, including—

20 (A) technology companies;

21 (B) geospatial data companies;

22 (C) experts in data science, analytics, and
23 operations research; or

24 (D) data companies.

1 (d) EXISTING PROGRAMS.—The Secretaries may use
2 existing programs or products of the Secretaries to carry
3 out this section.

4 (e) PRIVACY CLAUSES.—Nothing in this section pro-
5 vides authority to the Secretaries—

6 (1) to monitor or record the movements of a
7 visitor to a unit of Federal recreational lands and
8 waters;

9 (2) to restrict, interfere with, or monitor a pri-
10 vate communication of a visitor to a unit of Federal
11 recreational lands and waters; or

12 (3) to collect—

13 (A) information from owners of land adja-
14 cent to a unit of Federal recreational lands and
15 waters; or

16 (B) information on non-Federal land.

17 (f) REPORTS.—Not later than January 1, 2024, and
18 annually thereafter, the Secretaries shall publish on a
19 website of the Secretaries a report that describes the an-
20 nual visitation of each unit of Federal recreational lands
21 and waters, including, to the maximum extent practicable,
22 visitation categorized by recreational activity.

1 **SEC. 133. MONITORING FOR IMPROVED RECREATION DECISION MAKING.**
2

3 (a) IN GENERAL.—The Secretaries shall seek to capture comprehensive recreation use data to better understand and inform decision making by the Secretaries.

6 (b) PILOT PROTOCOLS.—Not later than 1 year after the date of the enactment of this title, and after public notice and comment, the Secretaries shall establish pilot protocols at not fewer than 10 land management units under the jurisdiction of each of the Secretaries to model recreation use patterns (including low-use recreation activities and dispersed recreation activities) that may not be effectively measured by existing general and opportunistic survey and monitoring protocols.

15 **Subtitle D—Broadband Connectivity on Federal Recreational Lands and Waters**
16
17

18 **SEC. 141. CONNECT OUR PARKS.**

19 (a) DEFINITIONS.—In this section:

20 (1) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means—

23 (A) the Committee on Energy and Natural Resources of the Senate;

25 (B) the Committee on Commerce, Science, and Transportation of the Senate;

1 (C) the Committee on Natural Resources
2 of the House of Representatives; and

3 (D) the Committee on Energy and Com-
4 merce of the House of Representatives.

5 (2) BROADBAND INTERNET ACCESS SERVICE.—

6 The term “broadband internet access service” has
7 the meaning given the term in section 8.1(b) of title
8 47, Code of Federal Regulations (or a successor reg-
9 ulation).

10 (3) CELLULAR SERVICE.—The term “cellular
11 service” has the meaning given the term in section
12 22.99 of title 47, Code of Federal Regulations (or a
13 successor regulation).

14 (4) NATIONAL PARK.—The term “National
15 Park” means a unit of the National Park System.

16 (5) SECRETARY.—The term “Secretary” means
17 the Secretary of the Interior, acting through the Di-
18 rector of the National Park Service.

19 (b) ASSESSMENT.—

20 (1) IN GENERAL.—Not later than 1 year after
21 the date of the enactment of this title, the Secretary
22 shall complete an assessment of National Parks to
23 identify—

24 (A) locations in National Parks in which
25 there is the greatest need for broadband inter-

1 net access service, based on the considerations
2 described in paragraph (2)(A); and

3 (B) areas in National Parks in which there
4 is the greatest need for cellular service, based
5 on the considerations described in paragraph
6 (2)(B).

7 (2) CONSIDERATIONS.—

8 (A) BROADBAND INTERNET ACCESS SERV-
9 ICE.—For purposes of identifying locations in
10 National Parks under paragraph (1)(A), the
11 Secretary shall consider, with respect to each
12 National Park, the availability of broadband
13 internet access service in—

14 (i) housing;

15 (ii) administrative facilities and re-
16 lated structures;

17 (iii) lodging;

18 (iv) developed campgrounds; and

19 (v) any other location within the Na-
20 tional Park in which broadband internet
21 access service is determined to be nec-
22 essary by the superintendent of the Na-
23 tional Park.

24 (B) CELLULAR SERVICE.—For purposes of
25 identifying areas in National Parks under para-

1 graph (1)(B), the Secretary shall consider, with
2 respect to each National Park, the availability
3 of cellular service in any developed area within
4 the National Park that would increase—

5 (i) the access of the public to emer-
6 gency services and traveler information
7 technologies; or

8 (ii) the communications capabilities of
9 National Park Service employees.

10 (3) REPORT.—On completion of the assessment
11 under paragraph (1), the Secretary shall submit to
12 the appropriate committees of Congress, and make
13 available on the website of the Department of the
14 Interior, a report describing the results of the as-
15 sessment.

16 (c) PLAN.—

17 (1) IN GENERAL.—Not later than 3 years after
18 the date of the enactment of this title, the Secretary
19 shall develop a plan, based on the results of the as-
20 sessment completed under subsection (b) and subject
21 to paragraph (4)—

22 (A) to install broadband internet access
23 service infrastructure in certain locations in Na-
24 tional Parks; and

1 (B) to install cellular service equipment
2 and infrastructure in certain areas of National
3 Parks.

4 (2) CONSULTATION.—In developing the plan
5 under paragraph (1), the Secretary shall consult
6 with—

7 (A) affected Indian Tribes; and

8 (B) local stakeholders that the super-
9 intendent of the applicable National Park deter-
10 mines to be appropriate.

11 (3) REQUIREMENTS.—The plan developed
12 under paragraph (1) shall—

13 (A) provide for avoiding or minimizing im-
14 pacts to—

15 (i) National Park viewsheds;

16 (ii) cultural and natural resources;

17 (iii) the visitor experience;

18 (iv) other resources or values of the
19 National Park; and

20 (v) historic properties and the
21 viewsheds of historic properties;

22 (B) provide for infrastructure providing
23 broadband internet access service or cellular
24 service to be located in—

1 (i) previously disturbed or developed
2 areas; or

3 (ii) areas zoned for uses that would
4 support the infrastructure;

5 (C) provide for the use of public-private
6 partnerships—

7 (i) to install broadband internet ac-
8 cess service or cellular service equipment;
9 and

10 (ii) to provide broadband internet ac-
11 cess service or cellular service;

12 (D) be technology neutral; and

13 (E) in the case of broadband internet ac-
14 cess service, provide for broadband internet ac-
15 cess service of at least—

16 (i) a 100-Mbps downstream trans-
17 mission capacity; and

18 (ii) a 20-Mbps upstream transmission
19 capacity.

20 (4) LIMITATION.—Notwithstanding paragraph
21 (1), a plan developed under that paragraph shall not
22 be required to address broadband internet access
23 service or cellular service in any National Park with
24 respect to which the superintendent of the National
25 Park determines that there is adequate access to

1 broadband internet access service or cellular service,
2 as applicable.

3 **SEC. 142. BROADBAND INTERNET CONNECTIVITY AT DE-**
4 **VELOPED RECREATION SITES.**

5 (a) IN GENERAL.—The Secretary and the Chief of
6 the Forest Service shall enter into an agreement with the
7 Secretary of Commerce to foster the installation or con-
8 struction of broadband internet infrastructure at devel-
9 oped recreation sites on Federal recreational lands and
10 waters to establish broadband internet connectivity—

11 (1) subject to the availability of appropriations;

12 and

13 (2) in accordance with applicable law.

14 (b) IDENTIFICATION.—Not later than 2 years after
15 the date of the enactment of this title, and annually there-
16 after through fiscal year 2031, the Secretary and the
17 Chief of the Forest Service, in coordination with States
18 and local communities, shall make publicly available—

19 (1) a list of the highest priority developed recre-
20 ation sites, as determined under subsection (c), on
21 Federal recreational lands and waters that lack
22 broadband internet;

23 (2) an estimate of—

24 (A) the cost to equip each of those sites
25 with broadband internet infrastructure; and

1 (B) the annual cost to operate that infra-
2 structure; and

3 (3) a list of potential—

4 (A) barriers to operating the infrastructure
5 described in paragraph (2)(A); and

6 (B) methods to recover the costs of that
7 operation.

8 (c) PRIORITIES.—In selecting developed recreation
9 sites for the list described in subsection (b)(1), the Sec-
10 retary and the Chief of the Forest Service shall give pri-
11 ority to developed recreation sites—

12 (1) at which broadband internet infrastructure
13 has not been constructed due to—

14 (A) geographic challenges; or

15 (B) the location having an insufficient
16 number of nearby permanent residents, despite
17 high seasonal or daily visitation levels; or

18 (2) that are located in an economically dis-
19 tressed county that could benefit significantly from
20 developing the outdoor recreation economy of the
21 county.

1 **Subtitle E—Public–Private Parks**
2 **Partnerships**

3 **SEC. 151. LODGING OPTIONS DEVELOPED FOR GOVERN-**
4 **MENT EMPLOYEES.**

5 (a) IN GENERAL.—Subchapter III of chapter 1013
6 of title 54, United States Code, is amended—

7 (1) by amending section 101331 to read as fol-
8 lows:

9 **“§ 101331. Definitions**

10 “In this subchapter:

11 “(1) FIELD EMPLOYEE.—The term ‘field em-
12 ployee’ means—

13 “(A) an employee of the Service who is ex-
14 clusively assigned by the Service to perform du-
15 ties at a System unit, and the members of the
16 employee’s family;

17 “(B) an individual performing duties at
18 the System unit who is employed by a Service
19 concession, partnership, educational, or con-
20 servation organization, whose work supports the
21 mission of the System unit, and the members of
22 the individual’s family;

23 “(C) an individual who is authorized to oc-
24 cupy Federal Government quarters under sec-
25 tion 5911 of title 5 in the vicinity of the System

1 unit, including individuals who are employees of
2 other Federal agencies, and the members of the
3 individual's family; or

4 “(D) an employee of the Federal Govern-
5 ment who is—

6 “(i) eligible to live in government
7 housing; and

8 “(ii) not an employee of the Service.

9 “(2) FUNDAMENTAL RESOURCES.—The term
10 ‘fundamental resources’ means resources essential to
11 achieving the purposes of the System unit and main-
12 taining its significance, as identified by the agency
13 in planning documents, including Foundation Docu-
14 ments.

15 “(3) HOUSING ACCOMMODATION PROJECT.—
16 The term ‘housing accommodation project’ means a
17 project for the development, construction, rehabilita-
18 tion, repair, maintenance, operation, or management
19 of housing accommodations, including related facili-
20 ties and infrastructure, pursuant to an agreement
21 entered into under section 101334.

22 “(4) HOUSING PARTNERSHIP AGREEMENT.—
23 The term ‘housing partnership agreement’ means an
24 agreement for a housing accommodation project en-
25 tered into under section 101334.

1 “(5) HOUSING UNITS.—The term ‘housing
2 units’ means housing units occupied by members of
3 the public in housing accommodations developed or
4 leased on non-Federal lands under this subchapter.

5 “(6) MEMBER OF THE PUBLIC.—The term
6 ‘member of the public’ means an individual, and the
7 members of the individual’s family, who is not a
8 Federal Government employee.

9 “(7) PRIMARY RESOURCE VALUES.—The term
10 ‘primary resource values’ means resources that are
11 specifically mentioned in the enabling legislation for
12 that field unit or other resource value recognized
13 under Federal statute.

14 “(8) PUBLIC LANDS.—The term ‘public lands’
15 means lands under the administrative jurisdiction of
16 the Federal Government.

17 “(9) QUARTERS.—The term ‘quarters’ means
18 quarters occupied by field employees and are, for
19 such purpose—

20 “(A) provided by the Federal Government;

21 or

22 “(B) developed or leased by the Federal
23 Government in accordance with a housing part-
24 nership agreement, lease, or contract under this
25 subchapter.”;

1 (2) in section 101332—

2 (A) in subsection (a)(2), by—

3 (i) striking “rates” and inserting “af-
4 fordable rates”; and

5 (ii) by inserting “, unless otherwise
6 authorized,” after “based”;

7 (B) in subsection (c)—

8 (i) by inserting “under the adminis-
9 trative jurisdiction of the Service” after
10 “any land”; and

11 (ii) by inserting “or fundamental re-
12 sources” after “primary resource value”;
13 and

14 (C) in subsection (d), by inserting “, un-
15 less otherwise authorized,” after “that are
16 based”;

17 (3) in section 101333, by inserting “or afford-
18 ability” after “lack of availability”;

19 (4) by amending section 101334 to read as fol-
20 lows:

21 **“§ 101334. Authorization for housing accommodation**
22 **projects**

23 “(a) IN GENERAL.—The Secretary may, pursuant to
24 the authorities contained in this subchapter and subject
25 to the appropriation of necessary funds in advance, enter

1 into housing partnership agreements with other Federal
2 agencies, State or local governments, Tribal Governments,
3 housing entities, or other public or private organizations,
4 for the purposes of facilitating housing accommodation
5 projects for rent to field employees and members of the
6 public—

7 “(1) on public lands, including System units;

8 “(2) off public lands in the vicinity of System
9 units; or

10 “(3) a combination of public lands described in
11 paragraphs (1) and (2).

12 “(b) TERMS AND CONDITIONS.—

13 “(1) NATIONAL PARK LANDS.—For any hous-
14 ing partnership agreements for housing accommoda-
15 tion projects on lands under the administrative juris-
16 diction of the Service, the Secretary shall—

17 “(A) ensure the housing accommodation
18 project and the use thereof are in conformity
19 with the approved plans, including housing
20 management plans, for the System unit and Di-
21 rector’s Orders and reference manuals related
22 to Service housing;

23 “(B) ensure that the location of the hous-
24 ing accommodation project will avoid degrada-
25 tion to the primary resource values and funda-

1 mental resources within the System unit, and
2 will not adversely affect the mission of the Serv-
3 ice;

4 “(C) ensure the entities responsible for the
5 housing accommodation project comply with ap-
6 plicable law and policies, including the provi-
7 sions of this subchapter;

8 “(D) identify the funding to be used in
9 performing the housing accommodation project;

10 “(E) provide standards that must be met,
11 as applicable, to ensure that the housing accom-
12 modation project, including related facilities
13 and infrastructure, is kept in good condition
14 and repair; and

15 “(F) ensure that the agreements include
16 any other terms and conditions the Secretary
17 may consider advisable to protect the interests
18 of the United States.

19 “(2) OTHER PUBLIC OR PRIVATE LANDS.—For
20 any housing partnership agreements for housing ac-
21 commodation projects on other public or private
22 lands located in the vicinity of the relevant System
23 unit and not under the administrative jurisdiction of
24 the Service, the Secretary shall ensure the agree-
25 ments—

1 “(A) have received the approval of each ap-
2 propriate State or local government, Tribal
3 Government, or other public or private entity
4 involved;

5 “(B) identify both the Federal and non-
6 Federal funding to be used in completing the
7 housing and related facilities; and

8 “(C) include any other terms and condi-
9 tions the Secretary may consider advisable to
10 protect the interests of the United States.

11 “(c) HOUSING OCCUPANCY.—

12 “(1) IN GENERAL.—The Secretary may allow
13 field employees and members of the public to occupy
14 and lease housing accommodation project quarters.

15 “(2) COMPLIANCE.—Members of the public oc-
16 cupying quarters shall be subject to the same laws
17 and policies with which field employees are required
18 to comply, as applicable.

19 “(3) PROHIBITION.—Field employees and mem-
20 bers of the public shall be prohibited from subleasing
21 housing units or quarters developed or leased in ac-
22 cordance with a housing partnership agreement
23 under this section, including all forms of short-term
24 rentals.

1 “(4) PREFERENCE.—To the maximum extent
2 practicable, priority for occupancy in project quar-
3 ters shall be given to field employees.

4 “(d) CONTRACTING PROCEDURES.—Each housing
5 partnership agreement awarded pursuant to this section
6 shall be awarded through the use of publicly advertised,
7 competitively bid, or competitively negotiated procedures,
8 unless the Secretary—

9 “(1) determines that it is in the public interest
10 to use procedures other than competitive procedures
11 with respect to the particular housing partnership
12 agreement concerned; and

13 “(2) notifies, in writing, the Committee on En-
14 ergy and Natural Resources of the Senate and the
15 Committee on Natural Resources of the House of
16 Representatives of such determinations and the ra-
17 tionale for such determination.

18 “(e) RENT.—

19 “(1) COLLECTION.—The Secretary may collect,
20 or may authorize entities who have entered into
21 partnership housing agreements under this section
22 to collect, rents directly from field employees and
23 members of the public occupying housing units or
24 quarters.

1 “(2) RATES.—For field employees, rent col-
2 lected under this subsection may not exceed the
3 rates determined pursuant to guidance in the docu-
4 ment entitled ‘Circular No. A-45 Revised’ and dated
5 November 25, 2019 (or subsequent guidance).

6 “(f) EXPIRATION OF AGREEMENTS.—

7 “(1) WITHIN SYSTEM UNITS.—The Secretary
8 may allow long-term leases or term-limited owner-
9 ship of housing units or quarters on public lands, as
10 appropriate, to facilitate the ability of an entity with
11 whom a housing partnership agreement has been en-
12 tered into under subsection (b) to secure financing.

13 “(2) EXPIRATION OF TERM ON PUBLIC
14 LANDS.—

15 “(A) IN GENERAL.—Upon expiration of a
16 term of ownership under paragraph (1), the
17 Secretary may—

18 “(i) renew the housing partnership
19 agreement for terms not to exceed 10
20 years;

21 “(ii) require the entity with whom a
22 housing partnership agreement has been
23 entered into under subsection (a) to demol-
24 ish the housing accommodations and re-
25 lated facilities and infrastructure, and re-

1 store the land to conditions generally exist-
2 ing before construction on the lands upon
3 which the housing accommodation project
4 is located without any cost to the Federal
5 Government;

6 “(iii) take ownership of the housing
7 accommodations and related facilities and
8 infrastructure, including fixtures and per-
9 sonal property necessary for the operation
10 of the property; or

11 “(iv) enter into a new housing part-
12 nership agreement.

13 “(B) COVERING COSTS.—If taking owner-
14 ship of buildings under subparagraph (A)(ii),
15 the Secretary may require the owner whose
16 term of ownership is expiring to cover costs as-
17 sociated with preparing the building site for
18 new or continued use.

19 “(3) ON NON-FEDERAL LANDS.—Upon expira-
20 tion of a housing partnership agreement for housing
21 accommodations on non-Federal lands, the Secretary
22 may extend the housing partnership agreement for
23 terms not to exceed 10 years.”;

24 (5) in section 101335—

25 (A) in subsection (a)—

1 (i) in paragraph (1)(A), by striking
2 “50” and inserting “60”;

3 (ii) in paragraph (2)—

4 (I) by striking “procedures.” and
5 inserting “procedures, unless—”; and

6 (II) by adding at the end the fol-
7 lowing:

8 “(A) the lease is awarded to a nonprofit or
9 government entity; or

10 “(B) the Secretary determines that it is in
11 the public interest to use procedures other than
12 competitive procedures in the particular lease
13 concerned and notifies, in writing, the Com-
14 mittee on Energy and Natural Resources of the
15 Senate and the Committee on Natural Re-
16 sources of the House of Representatives of such
17 determination and the rationale for such deter-
18 mination.”; and

19 (iii) in paragraph (3)(D), by inserting
20 “, affordability,” after “improve the qual-
21 ity”; and

22 (B) in subsection (b)—

23 (i) by striking paragraphs (2) and (3);

24 and

1 (ii) by inserting after paragraph (1)
2 the following:

3 “(2) TERMS AND CONDITIONS.—Any arrange-
4 ment made pursuant to this subsection shall contain
5 such terms and conditions as the Secretary considers
6 necessary or appropriate to protect the interests of
7 the United States and ensure that necessary quar-
8 ters are available to field employees.”; and

9 (C) by redesignating paragraph (4) as
10 paragraph (3);

11 (6) in section 101336, by inserting “rehabilita-
12 tion,” after “repair,”;

13 (7) by amending section 101338 to read as fol-
14 lows:

15 **“§ 101338. General provisions**

16 “(a) EXEMPTIONS.—The following provisions shall
17 not apply to lease contracts, or housing partnership agree-
18 ments, awarded by the Secretary under this subchapter:

19 “(1) Sections 102102 and 102901 of this title.

20 “(2) Section 1302 of title 40.

21 “(b) PROCEEDS FROM LEASES.—The proceeds from
22 any lease or housing partnership agreement under this
23 subchapter from which the Service directly collects the
24 proceeds shall be retained by the Service and deposited
25 in the special fund established for repair, maintenance, re-

1 habilitation, and operations of housing units and quarters
2 and associated facilities and infrastructure.”; and

3 (8) in section 101340—

4 (A) by amending subsection (a), by strik-
5 ing “, in sequential order,”; and

6 (B) by amending subsection (b) to read as
7 follows:

8 “(b) ANNUAL BUDGET SUBMITTAL.—Each fiscal
9 year, the President’s proposed budget to Congress shall
10 include—

11 “(1) identification of nonconstruction funds to
12 be spent for Service housing maintenance and oper-
13 ations that are in addition to rental receipts col-
14 lected;

15 “(2) the use of each of the authorities provided
16 to the Service under this subchapter;

17 “(3) the number of additional housing units
18 needed within the National Park System;

19 “(4) any barriers that have been identified to
20 providing the needed housing; and

21 “(5) any recommendations for changes to exist-
22 ing authorities that would help to remove those bar-
23 riers.”.

1 (b) CLERICAL AMENDMENTS.—The table of sections
2 for chapter 1013 of title 54, United States Code, is
3 amended as follows:

4 (1) By striking the item related to section
5 101334 and inserting the following new item:

“Sec. 101334. Authorization for housing accommodation projects”.

6 (2) By striking the item related to section
7 101338 and inserting the following new item:

“Sec. 101338. General provisions”.

8 (c) AUTHORIZATION FOR LEASE OF FOREST SERV-
9 ICE SITES.—Section 8623 of the Agriculture Improvement
10 Act of 2018 (16 U.S.C. 580d note; Public Law 115–334)
11 is amended—

12 (1) in subsection (a)(2)(D), by striking “dwell-
13 ing;” and inserting “dwelling or multiunit dwell-
14 ing;”;

15 (2) in subsection (e)—

16 (A) in paragraph (3)(B)(ii)—

17 (i) in subclause (I), by inserting “such
18 as housing,” after “improvements,”;

19 (ii) in subclause (II), by striking
20 “and” at the end;

21 (iii) in subclause (III), by striking
22 “or” at the end and inserting “and”; and

23 (iv) by adding at the end the fol-
24 lowing:

1 “(IV) services occurring off of
2 the administrative site—

3 “(aa) that—

4 “(AA) occur on the unit
5 of the National Forest Sys-
6 tem in which the administra-
7 tive site is located; or

8 “(BB) benefit the Na-
9 tional Forest System; and

10 “(bb) that support activities
11 occurring within the unit of the
12 National Forest System in which
13 the administrative site is located;
14 or”); and

15 (B) by adding at the end the following:

16 “(6) LEASE TERM.—

17 “(A) IN GENERAL.—The term of a lease of
18 an administrative site under this section shall
19 be not more than 100 years.

20 “(B) RENEWAL.—A lease of an adminis-
21 trative site under this section shall include a
22 provision for renewal of the lease if the use of
23 the administrative site, at the time of renewal,
24 is in accordance with this section.”); and

1 (3) in subsection (i), by striking “2023” each
2 place it appears and inserting “2028”.

3 **SEC. 152. PARTNERSHIP AGREEMENTS CREATING TAN-**
4 **GIBLE SAVINGS.**

5 Section 101703 of title 54, United States Code, is
6 amended—

7 (1) in subsection (a)—

8 (A) by striking “agreement with a State or
9 local government agency to provide for the co-
10 operative management of the Federal and State
11 or local park areas where a System unit is lo-
12 cated adjacent to or near a State or local park
13 area, and” and inserting “agreement with a
14 State or local agency, Tribal Government, pub-
15 lic university, public utility, or quasi-govern-
16 mental entity to provide for the cooperative
17 management of Federal, State, local, or Tribal
18 park areas where”; and

19 (B) by striking “between the Service and
20 a State or local government agency of a portion
21 of either the System unit or State or local park
22 will allow for more effective and efficient man-
23 agement of the System unit and State or local
24 park” and inserting “between the Service and a
25 State or local agency, Tribal Government, pub-

1 lic university, public utility, or quasi-govern-
2 mental entity of a portion of either the System
3 unit or State, local, Tribal, or quasi-govern-
4 mental entity land will allow for more effective
5 and efficient management of such System unit
6 or such land”;

7 (2) in subsection (b), by striking “provide to a
8 State” and all that follows through “land” and in-
9 serting “provide to a State or local agency, Tribal
10 Government, public university, public utility, or
11 quasi-governmental entity goods and services to be
12 used by the Secretary and the State or local agency,
13 Tribal Government, public university, public utility,
14 or quasi-governmental entity in the cooperative man-
15 agement of lands and waters”; and

16 (3) in subsection (c)—

17 (A) by striking “a Federal, State, or local
18 employee for work on any Federal, State, or
19 local” and inserting “an employee of a Federal,
20 State, or local agency, Tribal Government, pub-
21 lic university, public utility, or quasi-govern-
22 mental entity, for work on any Federal, State,
23 local, Tribal, or quasi-governmental entity”;
24 and

1 (B) by striking “by the Secretary and the
2 State or local agency” and inserting “by the
3 Secretary and the State or local agency, Tribal
4 Government, public university, public utility, or
5 quasi-governmental entity”.

6 **SEC. 153. PARTNERSHIP AGREEMENTS TO MODERNIZE**
7 **FEDERALLY OWNED CAMPGROUNDS, RE-**
8 **SORTS, CABINS, AND VISITOR CENTERS ON**
9 **FEDERAL RECREATIONAL LANDS AND**
10 **WATERS.**

11 (a) DEFINITIONS.—In this section:

12 (1) COVERED ACTIVITY.—The term “covered
13 activity” means—

14 (A) a capital improvement, including the
15 construction, reconstruction, and nonroutine
16 maintenance of any structure, infrastructure, or
17 improvement, relating to the operation of, or
18 access to, a covered recreation facility; and

19 (B) any activity necessary to operate or
20 maintain a covered recreation facility.

21 (2) COVERED RECREATION FACILITY.—The
22 term “covered recreation facility” means a federally
23 owned campground, resort, cabin, or visitor center
24 that is—

1 (A) in existence on the date of the enact-
2 ment of this title; and

3 (B) located on Federal recreational lands
4 and waters administered by—

5 (i) the Chief of the Forest Service; or

6 (ii) the Director of the Bureau of
7 Land Management.

8 (3) ELIGIBLE ENTITY.—The term “eligible enti-
9 ty” means—

10 (A) a unit of State, Tribal, or local govern-
11 ment;

12 (B) a nonprofit organization; and

13 (C) a private entity.

14 (b) PILOT PROGRAM.—The Secretaries shall estab-
15 lish a pilot program under which the Secretary concerned
16 may enter into an agreement with, or issue or amend a
17 land use authorization to, an eligible entity to allow the
18 eligible entity to carry out covered activities relating to
19 a covered recreation facility, subject to the requirements
20 of this section and the terms of any relevant land use au-
21 thorization, regardless of whether the eligible entity holds,
22 on the date of the enactment of this title, an authorization
23 to be a concessionaire for the covered recreation facility.

24 (c) MINIMUM NUMBER OF AGREEMENTS OR LAND
25 USE AUTHORIZATIONS.—Not later than 3 years after the

1 date of the enactment of this title, the Secretary con-
2 cerned, with the consent of each affected holder of an au-
3 thorization to be a concessionaire for a covered recreation
4 facility, if applicable, shall enter into at least 1 agreement
5 or land use authorization under subsection (b) in—

6 (1) a unit of the National Forest System in
7 each region of the National Forest System; and

8 (2) Federal recreational lands and waters ad-
9 ministered by the Director of the Bureau of Land
10 Management in not fewer than 5 States in which the
11 Bureau of Land Management administers Federal
12 recreational lands and waters.

13 (d) REQUIREMENTS.—

14 (1) DEVELOPMENT PLANS.—Before entering
15 into an agreement or issuing a land use authoriza-
16 tion under subsection (b), an eligible entity shall
17 submit to the Secretary concerned a development
18 plan that—

19 (A) describes investments in the covered
20 recreation facility to be made by the eligible en-
21 tity during the first 3 years of the agreement
22 or land use authorization;

23 (B) describes annual maintenance spend-
24 ing for each year of the agreement or land use
25 authorization; and

1 (C) includes any other terms and condi-
2 tions determined to be necessary or appropriate
3 by the Secretary concerned.

4 (2) AGREEMENTS AND LAND USE AUTHORIZA-
5 TIONS.—An agreement or land use authorization
6 under subsection (b) shall—

7 (A) be for a term of not more than 30
8 years, commensurate with the level of invest-
9 ment;

10 (B) require that, not later than 3 years
11 after the date on which the Secretary concerned
12 enters into the agreement or issues or amends
13 the land use authorization, the applicable eligi-
14 ble entity shall expend, place in an escrow ac-
15 count for the eligible entity to expend, or de-
16 posit in a special account in the Treasury for
17 expenditure by the Secretary concerned, without
18 further appropriation, for covered activities re-
19 lating to the applicable covered recreation facil-
20 ity, an amount or specified percentage, as de-
21 termined by the Secretary concerned, which
22 shall be equal to not less than \$2,000,000, of
23 the anticipated receipts for the term of the
24 agreement or land use authorization;

1 (C) require the eligible entity to operate
2 and maintain the covered recreation facility and
3 any associated infrastructure designated by the
4 Secretary concerned in a manner acceptable to
5 the Secretary concerned and the eligible entity;

6 (D) include any terms and conditions that
7 the Secretary concerned determines to be nec-
8 essary for a special use permit issued under
9 section 7 of the Act of April 24, 1950 (com-
10 monly known as the “Granger-Thye Act”) (64
11 Stat. 84, chapter 97; 16 U.S.C. 580d), includ-
12 ing the payment described in subparagraph (E)
13 or the Federal Land Policy and Management
14 Act of 1976 (43 U.S.C. 1701 et seq.), as appli-
15 cable;

16 (E) provide for payment to the Federal
17 Government of a fee or a sharing of revenue—

18 (i) consistent with—

19 (I) the land use fee for a special
20 use permit authorized under section 7
21 of the Act of April 24, 1950 (com-
22 monly known as the “Granger-Thye
23 Act”) (64 Stat. 84, chapter 97; 16
24 U.S.C. 580d); or

1 (II) the value to the eligible enti-
2 ty of the rights provided by the agree-
3 ment or land use authorization, taking
4 into account the capital invested by,
5 and obligations of, the eligible entity
6 under the agreement or land use au-
7 thorization; and

8 (ii) all or part of which may be offset
9 by the work to be performed at the ex-
10 pense of the eligible entity that is separate
11 from the routine costs of operating and
12 maintaining the applicable covered recre-
13 ation facility and any associated infrastruc-
14 ture designated by the Secretary con-
15 cerned, as determined to be appropriate by
16 the Secretary concerned;

17 (F) include provisions stating that—

18 (i) the eligible entity shall obtain no
19 property interest in the covered recreation
20 facility pursuant to the expenditures of the
21 eligible entity, as required by the agree-
22 ment or land use authorization;

23 (ii) all structures and other improve-
24 ments constructed, reconstructed, or non-
25 routinely maintained by that entity under

1 the agreement or land use authorization on
2 land owned by the United States shall be
3 the property of the United States; and

4 (iii) the eligible entity shall be solely
5 responsible for any cost associated with the
6 decommissioning or removal of a capital
7 improvement, if needed, at the conclusion
8 of the agreement or land use authorization;
9 and

10 (G) be subject to any other terms and con-
11 ditions determined to be necessary or appro-
12 priate by the Secretary concerned.

13 (e) LAND USE FEE RETENTION.—A land use fee
14 paid or revenue shared with the Secretary concerned
15 under an agreement or land use authorization under this
16 section shall be available for expenditure by the Secretary
17 concerned for recreation-related purposes on the unit of
18 Federal recreational lands and waters at which the land
19 use fee or revenue is collected, without further appropria-
20 tion.

21 **SEC. 154. PARKING OPPORTUNITIES FOR FEDERAL REC-**
22 **REATIONAL LANDS AND WATERS.**

23 (a) IN GENERAL.—The Secretaries shall seek to in-
24 crease parking opportunities for persons recreating on
25 Federal recreational lands and waters—

1 (1) in accordance with existing laws and appli-
2 cable land use plans;

3 (2) in a manner that minimizes any increase in
4 maintenance obligations on Federal recreational
5 lands and waters; and

6 (3) in a manner that does not impact wildlife
7 habitat that is critical to the mission of a Federal
8 agency responsible for managing Federal rec-
9 reational lands and waters.

10 (b) **AUTHORITY.**—To supplement the quantity of
11 parking spaces available at units of Federal recreational
12 lands and waters on the date of the enactment of this title,
13 the Secretaries may—

14 (1) enter into a public-private partnership for
15 parking opportunities on non-Federal land;

16 (2) lease non-Federal land for parking opportu-
17 nities; or

18 (3) provide alternative transportation systems
19 for a unit of Federal recreational lands and waters.

20 **SEC. 155. PAY-FOR-PERFORMANCE PROJECTS.**

21 (a) **DEFINITIONS.**—In this section:

22 (1) **INDEPENDENT EVALUATOR.**—The term
23 “independent evaluator” means an individual or en-
24 tity, including an institution of higher education,
25 that is selected by the pay-for-performance bene-

1 beneficiary and pay-for-performance investor, as applica-
2 ble, or by the pay-for-performance project developer,
3 in consultation with the Secretary of Agriculture, to
4 make the determinations and prepare the reports re-
5 quired under subsection (e).

6 (2) NATIONAL FOREST SYSTEM LAND.—The
7 term “National Forest System land” means land in
8 the National Forest System (as defined in section
9 11(a) of the Forest and Rangeland Renewable Re-
10 resources Planning Act of 1974 (16 U.S.C. 1609(a))).

11 (3) PAY-FOR-PERFORMANCE AGREEMENT.—The
12 term “pay-for-performance agreement” means a mu-
13 tual benefit agreement (excluding a procurement
14 contract, grant agreement, or cooperative agreement
15 described in chapter 63 of title 31, United States
16 Code) for a pay-for-performance project—

17 (A) with a term of—

18 (i) not less than 1 year; and

19 (ii) not more than 20 years; and

20 (B) that is executed, in accordance with
21 applicable law, by—

22 (i) the Secretary of Agriculture; and

23 (ii) a pay-for-performance beneficiary

24 or pay-for-performance project developer.

1 (4) PAY-FOR-PERFORMANCE BENEFICIARY.—

2 The term “pay-for-performance beneficiary” means
3 a State or local government, an Indian Tribe, or a
4 nonprofit or for-profit organization that—

5 (A) repays capital loaned upfront by a pay-
6 for-performance investor, based on a project
7 outcome specified in a pay-for-performance
8 agreement; or

9 (B) provides capital directly for costs asso-
10 ciated with a pay-for-performance project.

11 (5) PAY-FOR-PERFORMANCE INVESTOR.—The
12 term “pay-for-performance investor” means a State
13 or local government, an Indian Tribe, or a nonprofit
14 or for-profit organization that provides upfront
15 loaned capital for a pay-for-performance project with
16 the expectation of a financial return dependent on a
17 project outcome.

18 (6) PAY-FOR-PERFORMANCE PROJECT.—The
19 term “pay-for-performance project” means a project
20 that—

21 (A) would provide or enhance a rec-
22 reational opportunity;

23 (B) is conducted on—

24 (i) National Forest System land; or

1 (ii) other land, if the activities would
2 benefit National Forest System land (in-
3 cluding a recreational use of National For-
4 est System land); and

5 (C) would use an innovative funding or fi-
6 nancing model that leverages—

7 (i) loaned capital from a pay-for-per-
8 formance investor to cover upfront costs
9 associated with a pay-for-performance
10 project, with the loaned capital repaid by a
11 pay-for-performance beneficiary at a rate
12 of return dependent on a project outcome,
13 as measured by an independent evaluator;
14 or

15 (ii) capital directly from a pay-for-per-
16 formance beneficiary to support costs asso-
17 ciated with a pay-for-performance project
18 in an amount based on an anticipated
19 project outcome.

20 (7) PAY-FOR-PERFORMANCE PROJECT DEVEL-
21 OPER.—The term “pay-for-performance project de-
22 veloper” means a nonprofit or for-profit organization
23 that serves as an intermediary to assist in devel-
24 oping or implementing a pay-for-performance agree-
25 ment or a pay-for-performance project.

1 (8) PROJECT OUTCOME.—The term “project
2 outcome” means a measurable, beneficial result
3 (whether economic, environmental, or social) that is
4 attributable to a pay-for-performance project and de-
5 scribed in a pay-for-performance agreement.

6 (b) ESTABLISHMENT OF PILOT PROGRAM.—The Sec-
7 retary of Agriculture shall establish a pilot program in ac-
8 cordance with this section to carry out 1 or more pay-
9 for-performance projects.

10 (c) PAY-FOR-PERFORMANCE PROJECTS.—

11 (1) IN GENERAL.—Using funds made available
12 through a pay-for-performance agreement or appro-
13 priations, all or any portion of a pay-for-perform-
14 ance project may be implemented by—

15 (A) the Secretary of Agriculture; or

16 (B) a pay-for-performance project devel-
17 oper or a third party, subject to the conditions
18 that—

19 (i) the Secretary of Agriculture shall
20 approve the implementation by the pay-for-
21 performance project developer or third
22 party; and

23 (ii) the implementation is in accord-
24 ance with applicable law.

1 (2) RELATION TO LAND MANAGEMENT
2 PLANS.—A pay-for-performance project carried out
3 under this section shall be consistent with any appli-
4 cable land management plan developed under section
5 6 of the Forest and Rangeland Renewable Resources
6 Planning Act of 1974 (16 U.S.C. 1604).

7 (3) OWNERSHIP.—

8 (A) NEW IMPROVEMENTS.—The United
9 States shall have title to any improvements in-
10 stalled on National Forest System land as part
11 of a pay-for-performance project.

12 (B) EXISTING IMPROVEMENTS.—Investing
13 in, conducting, or completing a pay-for-perform-
14 ance project on National Forest System land
15 shall not affect the title of the United States
16 to—

17 (i) any federally owned improvements
18 involved in the pay-for-performance
19 project; or

20 (ii) the underlying land.

21 (4) SAVINGS CLAUSE.—The carrying out of any
22 action for a pay-for-performance project does not
23 provide any right to any party to a pay-for-perform-
24 ance agreement.

1 (5) POTENTIAL CONFLICTS.—Before approving
2 a pay-for-performance project under this section, the
3 Secretary of Agriculture shall consider and seek to
4 avoid potential conflicts (including economic com-
5 petition) with any existing written authorized use.

6 (d) PROJECT AGREEMENTS.—

7 (1) IN GENERAL.—Notwithstanding the Act of
8 June 30, 1914 (38 Stat. 430, chapter 131; 16
9 U.S.C. 498), or subtitle C of title XX of the Social
10 Security Act (42 U.S.C. 1397n et seq.), in carrying
11 out the pilot program under this section, the Sec-
12 retary of Agriculture may enter into a pay-for-per-
13 formance agreement under which a pay-for-perform-
14 ance beneficiary, pay-for-performance investor, or
15 pay-for-performance project developer agrees to pay
16 for or finance all or part of a pay-for-performance
17 project.

18 (2) SIZE LIMITATION.—The Secretary of Agri-
19 culture may not enter into a pay-for-performance
20 agreement under the pilot program under this sec-
21 tion for a pay-for-performance project valued at
22 more than \$15,000,000.

23 (3) FINANCING.—

24 (A) IN GENERAL.—A pay-for-performance
25 agreement shall specify the amounts that a pay-

1 for-performance beneficiary or a pay-for-per-
2 formance project developer agrees to pay to a
3 pay-for-performance investor or a pay-for-per-
4 formance project developer, as appropriate, in
5 the event of an independent evaluator deter-
6 mining pursuant to subsection (e) the degree to
7 which a project outcome has been achieved.

8 (B) ELIGIBLE PAYMENTS.—An amount de-
9 scribed in subparagraph (A) shall be—

10 (i) based on—

11 (I) the respective contributions of
12 the parties under the pay-for-perform-
13 ance agreement; and

14 (II) the economic, environmental,
15 or social benefits derived from the
16 project outcomes; and

17 (ii)(I) a percentage of the estimated
18 value of a project outcome;

19 (II) a percentage of the estimated cost
20 savings to the pay-for-performance bene-
21 ficiary or the Secretary of Agriculture de-
22 rived from a project outcome;

23 (III) a percentage of the enhanced
24 revenue to the pay-for-performance bene-

1 fiary or the Secretary of Agriculture de-
2 rived from a project outcome; or

3 (IV) a percentage of the cost of the
4 pay-for-performance project.

5 (C) FOREST SERVICE FINANCIAL ASSIST-
6 ANCE.—Subject to the availability of appropria-
7 tions, the Secretary of Agriculture may only
8 contribute funding for a pay-for-performance
9 project if—

10 (i) the Secretary of Agriculture dem-
11 onstrates that—

12 (I) the pay-for-performance
13 project will provide a cost savings to
14 the United States; or

15 (II) the funding would accelerate
16 the pace of implementation of an ac-
17 tivity previously planned to be com-
18 pleted by the Secretary of Agriculture;
19 and

20 (ii) the contribution of the Secretary
21 of Agriculture has a value that is not more
22 than 50 percent of the total cost of the
23 pay-for-performance project.

1 (D) SPECIAL ACCOUNT.—Any funds re-
2 ceived by the Secretary of Agriculture under
3 subsection (c)(1)—

4 (i) shall be retained in a separate
5 fund in the Treasury to be used solely for
6 pay-for-performance projects; and

7 (ii) shall remain available until ex-
8 pended and without further appropriation.

9 (4) MAINTENANCE AND DECOMMISSIONING OF
10 PAY-FOR-PERFORMANCE PROJECT IMPROVE-
11 MENTS.—A pay-for-performance agreement shall—

12 (A) include a plan for maintaining any
13 capital improvement constructed as part of a
14 pay-for-performance project after the date on
15 which the pay-for-performance project is com-
16 pleted; and

17 (B) specify the party that will be respon-
18 sible for decommissioning the improvements as-
19 sociated with the pay-for-performance project—

20 (i) at the end of the useful life of the
21 improvements;

22 (ii) if the improvements no longer
23 serve the purpose for which the improve-
24 ments were developed; or

1 (iii) if the pay-for-performance project
2 fails.

3 (5) TERMINATION OF PAY-FOR-PERFORMANCE
4 PROJECT AGREEMENTS.—The Secretary of Agri-
5 culture may unilaterally terminate a pay-for-per-
6 formance agreement, in whole or in part, for any
7 program year beginning after the program year dur-
8 ing which the Secretary of Agriculture provides to
9 each party to the pay-for-performance agreement a
10 notice of the termination.

11 (e) INDEPENDENT EVALUATIONS.—

12 (1) PROGRESS REPORTS.—An independent eval-
13 uator shall submit to the Secretary of Agriculture
14 and each party to the applicable pay-for-performance
15 agreement—

16 (A) by not later than 2 years after the
17 date on which the pay-for-performance agree-
18 ment is executed, and at least once every 2
19 years thereafter, a written report that summa-
20 rizes the progress that has been made in achiev-
21 ing each project outcome; and

22 (B) before the first scheduled date for a
23 payment described in subsection (d)(3)(A), and
24 each subsequent date for payment, a written re-
25 port that—

1 (i) summarizes the results of the eval-
2 uation conducted by the independent eval-
3 uator to determine whether a payment
4 should be made pursuant to the pay-for-
5 performance agreement; and

6 (ii) analyzes the reasons why a project
7 outcome was achieved or was not achieved.

8 (2) FINAL REPORTS.—Not later than 180 days
9 after the date on which a pay-for-performance
10 project is completed, the independent evaluator shall
11 submit to the Secretary of Agriculture and each
12 party to the pay-for-performance agreement a writ-
13 ten report that includes, with respect to the period
14 covered by the report—

15 (A) an evaluation of the effects of the pay-
16 for-performance project with respect to each
17 project outcome;

18 (B) a determination of whether the pay-
19 for-performance project has met each project
20 outcome; and

21 (C) the amount of the payments made for
22 the pay-for-performance project pursuant to
23 subsection (d)(3)(A).

24 (f) ADDITIONAL FOREST SERVICE-PROVIDED AS-
25 SISTANCE.—

1 (1) TECHNICAL ASSISTANCE.—The Secretary of
2 Agriculture may provide technical assistance to fa-
3 cilitate pay-for-performance project development,
4 such as planning, permitting, site preparation, and
5 design work.

6 (2) CONSULTANTS.—Subject to the availability
7 of appropriations, the Secretary of Agriculture may
8 hire a contractor—

9 (A) to conduct a feasibility analysis of a
10 proposed pay-for-performance project;

11 (B) to assist in the development, imple-
12 mentation, or evaluation of a proposed pay-for-
13 performance project or a pay-for-performance
14 agreement; or

15 (C) to assist with an environmental anal-
16 ysis of a proposed pay-for-performance project.

17 (g) SAVINGS CLAUSE.—The Secretary of Agriculture
18 shall approve a record of decision, decision notice, or deci-
19 sion memo for any activities to be carried out on National
20 Forest System land as part of a pay-for-performance
21 project before the Secretary of Agriculture may enter into
22 a pay-for-performance agreement involving the applicable
23 pay-for-performance project.

24 (h) DURATION OF PILOT PROGRAM.—

1 (1) SUNSET.—The authority to enter into a
2 pay-for-performance agreement under this section
3 terminates on the date that is 7 years after the date
4 of the enactment of this title.

5 (2) SAVINGS CLAUSE.—Nothing in paragraph
6 (1) affects any pay-for-performance project agree-
7 ment entered into by the Secretary of Agriculture
8 under this section before the date described in that
9 paragraph.

10 **SEC. 156. OUTDOOR RECREATION LEGACY PARTNERSHIP**
11 **PROGRAM.**

12 (a) DEFINITIONS.—In this section:

13 (1) ELIGIBLE ENTITY.—The term “eligible enti-
14 ty” means an entity or combination of entities that
15 represents or otherwise serves a qualifying area.

16 (2) ELIGIBLE NONPROFIT ORGANIZATION.—The
17 term “eligible nonprofit organization” means an or-
18 ganization that is described in section 501(c)(3) of
19 the Internal Revenue Code of 1986 and is exempt
20 from taxation under section 501(a) of such Code.

21 (3) ENTITY.—The term “entity” means—

22 (A) a State;

23 (B) a political subdivision of a State, in-
24 cluding—

25 (i) a city;

1 (ii) a county; and

2 (iii) a special purpose district that
3 manages open space, including a park dis-
4 trict; and

5 (C) an Indian Tribe, urban Indian organi-
6 zation, or Alaska Native or Native Hawaiian
7 community or organization.

8 (4) LOW-INCOME COMMUNITY.—The term “low-
9 income community” has the same meaning given
10 that term in 26 U.S.C. 45D(e)(1).

11 (5) OUTDOOR RECREATION LEGACY PARTNER-
12 SHIP PROGRAM.—The term “Outdoor Recreation
13 Legacy Partnership Program” means the program
14 codified under subsection (b)(1).

15 (6) QUALIFYING AREA.—The term “qualifying
16 area” means—

17 (A) an urbanized area or urban cluster
18 that has a population of 25,000 or more in the
19 most recent census;

20 (B) 2 or more adjacent urban clusters with
21 a combined population of 25,000 or more in the
22 most recent census; or

23 (C) an area administered by an Indian
24 Tribe or an Alaska Native or Native Hawaiian
25 community organization.

1 (7) STATE.—The term “State” means each of
2 the several States, the District of Columbia, and
3 each territory of the United States.

4 (b) GRANTS AUTHORIZED.—

5 (1) CODIFICATION OF PROGRAM.—

6 (A) IN GENERAL.—There is established an
7 existing program, to be known as the “Outdoor
8 Recreation Legacy Partnership Program”,
9 under which the Secretary may award grants to
10 eligible entities for projects—

11 (i) to acquire land and water for
12 parks and other outdoor recreation pur-
13 poses in qualifying areas; and

14 (ii) to develop new or renovate exist-
15 ing outdoor recreation facilities that pro-
16 vide outdoor recreation opportunities to the
17 public in qualifying areas.

18 (B) PRIORITY.—In awarding grants to eli-
19 gible entities under subparagraph (A), the Sec-
20 retary shall give priority to projects that—

21 (i) create or significantly enhance ac-
22 cess to park and recreational opportunities
23 in a qualifying area;

24 (ii) engage and empower low-income
25 communities and youth;

1 (iii) provide employment or job train-
2 ing opportunities for youth or low-income
3 communities;

4 (iv) establish or expand public-private
5 partnerships, with a focus on leveraging re-
6 sources; and

7 (v) take advantage of coordination
8 among various levels of government.

9 (2) MATCHING REQUIREMENT.—

10 (A) IN GENERAL.—As a condition of re-
11 ceiving a grant under paragraph (1), an eligible
12 entity shall provide matching funds in the form
13 of cash or an in-kind contribution in an amount
14 equal to not less than 100 percent of the
15 amounts made available under the grant.

16 (B) ADMINISTRATIVE EXPENSES.—Not
17 more than 7 percent of funds provided to an eli-
18 gible entity under a grant awarded under para-
19 graph (1) may be used for administrative ex-
20 penses.

21 (3) CONSIDERATIONS.—In awarding grants to
22 eligible entities under paragraph (1), the Secretary
23 shall consider the extent to which a project would—

1 (A) provide recreation opportunities in low-
2 income communities in which access to parks is
3 not adequate to meet local needs;

4 (B) provide opportunities for outdoor
5 recreation and public land volunteerism;

6 (C) support innovative or cost-effective
7 ways to enhance parks and other recreation—

8 (i) opportunities; or

9 (ii) delivery of services;

10 (D) support park and recreation program-
11 ming provided by local governments, including
12 cooperative agreements with community-based
13 eligible nonprofit organizations;

14 (E) develop Native American event sites
15 and cultural gathering spaces;

16 (F) provide benefits such as community re-
17 siliance, reduction of urban heat islands, en-
18 hanced water or air quality, or habitat for fish
19 or wildlife; and

20 (G) facilitate any combination of purposes
21 listed in subparagraphs (A) through (F).

22 (4) ELIGIBLE USES.—

23 (A) IN GENERAL.—Subject to subpara-
24 graph (B), an eligible entity may use a grant
25 awarded under paragraph (1) for a project de-

1 scribed in subparagraph (A) or (B) of that
2 paragraph.

3 (B) LIMITATIONS ON USE.—An eligible en-
4 tity may not use grant funds for—

5 (i) incidental costs related to land ac-
6 quisition, including appraisal and titling;

7 (ii) operation and maintenance activi-
8 ties;

9 (iii) facilities that support
10 semiprofessional or professional athletics;

11 (iv) indoor facilities, such as recre-
12 ation centers or facilities that support pri-
13 marily nonoutdoor purposes; or

14 (v) acquisition of land or interests in
15 land that restrict public access.

16 (c) REVIEW AND EVALUATION REQUIREMENTS.—In
17 carrying out the Outdoor Recreation Legacy Partnership
18 Program, the Secretary shall—

19 (1) conduct an initial screening and technical
20 review of applications received;

21 (2) evaluate and score all qualifying applica-
22 tions; and

23 (3) provide culturally and linguistically appro-
24 priate information to eligible entities (including low-

1 income communities and eligible entities serving low-
2 income communities) on—

3 (A) the opportunity to apply for grants
4 under this section;

5 (B) the application procedures by which el-
6 igible entities may apply for grants under this
7 section; and

8 (C) eligible uses for grants under this sec-
9 tion.

10 (d) REPORTING.—

11 (1) ANNUAL REPORTS.—Not later than 30 days
12 after the last day of each report period, each State-
13 lead agency that receives a grant under this section
14 shall annually submit to the Secretary performance
15 and financial reports that—

16 (A) summarize project activities conducted
17 during the report period; and

18 (B) provide the status of the project.

19 (2) FINAL REPORTS.—Not later than 90 days
20 after the earlier of the date of expiration of a project
21 period or the completion of a project, each State-
22 lead agency that receives a grant under this section
23 shall submit to the Secretary a final report con-
24 taining such information as the Secretary may re-
25 quire.

1 **TITLE II—ACCESS AMERICA**

2 **SEC. 201. DEFINITIONS.**

3 In this title:

4 (1) **ACCESSIBLE TRAIL.**—The term “accessible
5 trail” means a trail that meets the requirements for
6 a trail under the Architectural Barriers Act accessi-
7 bility guidelines.

8 (2) **ARCHITECTURAL BARRIERS ACT ACCESSI-**
9 **BILITY GUIDELINES.**—The term “Architectural Bar-
10 riers Act accessibility guidelines” means the accessi-
11 bility guidelines set forth in appendices C and D to
12 part 1191 of title 36, Code of Federal Regulations
13 (or successor regulations).

14 (3) **ASSISTIVE TECHNOLOGY.**—The term “as-
15 sistive technology” means any item, piece of equip-
16 ment, or product system, whether acquired commer-
17 cially, modified, or customized, that is used to in-
18 crease, maintain, or improve functional capabilities
19 of individuals with disabilities, particularly with par-
20 ticipating in outdoor recreation activities.

21 (4) **GOLD STAR FAMILY MEMBER.**—The term
22 “Gold Star Family member” means an individual
23 described in section 3.3 of Department of Defense
24 Instruction 1348.36.

1 (5) OUTDOOR CONSTRUCTED FEATURE.—The
2 term “outdoor constructed feature” has the meaning
3 given such term in appendix C to part 1191 of title
4 36, Code of Federal Regulations (or successor regu-
5 lations).

6 (6) VETERANS ORGANIZATION.—The term “vet-
7 erans organization” means a service provider with
8 outdoor recreation experience that serves members
9 of the Armed Forces, veterans, or Gold Star Family
10 members.

11 **Subtitle A—Access for People With** 12 **Disabilities**

13 **SEC. 211. ACCESSIBLE RECREATION INVENTORY.**

14 (a) ASSESSMENT.—Not later than 5 years after the
15 date of the enactment of this title, the Secretary concerned
16 shall—

17 (1) carry out a comprehensive assessment of
18 outdoor recreation facilities on Federal recreational
19 lands and waters under the jurisdiction of the re-
20 spective Secretary concerned to determine the acces-
21 sibility of such outdoor recreation facilities, con-
22 sistent with the Architectural Barriers Act of 1968
23 (42 U.S.C. 4151 et seq.), including—

24 (A) camp shelters, camping facilities, and
25 camping units;

- 1 (B) boat launch ramps;
- 2 (C) hunting, fishing, shooting, or archery
- 3 ranges or locations;
- 4 (D) outdoor constructed features;
- 5 (E) picnic facilities and picnic units; and
- 6 (F) any other outdoor recreation facilities,
- 7 as determined by the Secretary concerned; and
- 8 (2) make information about such opportunities
- 9 available (including through the use of prominently
- 10 displayed links) on public websites of—
- 11 (A) each of the Federal land management
- 12 agencies; and
- 13 (B) each relevant unit and subunit of the
- 14 Federal land management agencies.

15 (b) INCLUSION OF CURRENT ASSESSMENTS.—As

16 part of the comprehensive assessment required under sub-

17 section (a)(1), to the extent practicable, the Secretary con-

18 cerned may rely on assessments completed or data gath-

19 ered prior to the date of the enactment of this title.

20 (c) PUBLIC INFORMATION.—Not later than 7 years

21 after the date of the enactment of this title, the Secretary

22 concerned shall identify opportunities to create, update, or

23 replace signage and other publicly available information,

24 including web page information, related to accessibility

25 and consistent with the Architectural Barriers Act of 1968

1 (42 U.S.C. 4151 et seq.) at outdoor recreation facilities
2 covered by the assessment required under subsection
3 (a)(1).

4 **SEC. 212. TRAIL INVENTORY.**

5 (a) ASSESSMENT.—Not later than 7 years after the
6 date of the enactment of this title, the Secretary concerned
7 shall—

8 (1) conduct a comprehensive assessment of
9 trails on Federal recreational lands and waters
10 under the jurisdiction of the respective Secretary
11 concerned, including measuring each trail’s—

12 (A) surface;

13 (B) clear tread width;

14 (C) passing spaces;

15 (D) size;

16 (E) tread obstacles;

17 (F) openings;

18 (G) slopes, including cross slope;

19 (H) maximum running slope and segment
20 length;

21 (I) resting intervals;

22 (J) length;

23 (K) width;

24 (L) turning space;

25 (M) protruding objects; and

1 (N) trailhead signs; and

2 (2) make information about such trails avail-
3 able (including through the use of prominently dis-
4 played links) on public websites of—

5 (A) each of the Federal land management
6 agencies; and

7 (B) each relevant unit and subunit of the
8 Federal land management agencies.

9 (b) INCLUSION OF CURRENT ASSESSMENTS.—As
10 part of the assessment required under subsection (a)(1),
11 the Secretary concerned may, to the extent practicable,
12 rely on assessments completed or data gathered prior to
13 the date of the enactment of this title.

14 (c) PUBLIC INFORMATION.—Not later than 7 years
15 after the date of the enactment of this title, the Secretary
16 concerned shall identify opportunities to replace signage
17 and other publicly available information, including web
18 page information, related to such trails and consistent
19 with the Architectural Barriers Act of 1968 (42 U.S.C.
20 4151 et seq.) at trails covered by the assessment required
21 under subsection (a)(1).

22 (d) PRIORITIZATION.—The Secretary concerned shall
23 consult with stakeholders, including veterans organiza-
24 tions and organizations with expertise or experience pro-
25 viding outdoor recreation opportunities to individuals with

1 disabilities, in selecting priority trails to measure under
2 subsection (a)(1).

3 (e) ASSISTIVE TECHNOLOGY SPECIFICATION.—In
4 publishing information about each trail under this sub-
5 section, the Secretary concerned shall make public infor-
6 mation about trails that do not meet the Architectural
7 Barriers Act accessibility guidelines but could otherwise
8 provide outdoor recreation opportunities to individuals
9 with disabilities through the use of certain assistive tech-
10 nology.

11 **SEC. 213. TRAIL PILOT PROGRAM.**

12 (a) IN GENERAL.—Not later than 2 years after the
13 date of the enactment of this title, the Secretary concerned
14 shall carry out a pilot program to enter into partnerships
15 with eligible entities to—

16 (1) measure trails as part of the assessment re-
17 quired under section 212;

18 (2) develop accessible trails under section 214;

19 and

20 (3) make minor modifications to existing trails
21 to enhance recreational experiences for individuals
22 with disabilities using assistive technology—

23 (A) in compliance with all applicable land
24 use and management plans of the Federal rec-

1 reational lands and waters on which the acces-
2 sible trail is located; and

3 (B) in consultation with stakeholders, in-
4 cluding veterans organizations and organiza-
5 tions with expertise or experience providing out-
6 door recreation opportunities to individuals with
7 disabilities.

8 (b) LOCATIONS.—

9 (1) IN GENERAL.—The Secretary concerned
10 shall select no fewer than 5 units or subunits under
11 the jurisdiction of the respective Secretary concerned
12 to carry out the pilot program established under
13 subsection (a).

14 (2) SPECIAL RULE OF CONSTRUCTION FOR THE
15 DEPARTMENT OF THE INTERIOR.—In selecting the
16 locations of the pilot programs, the Secretary shall
17 ensure that at least one pilot program is carried out
18 in a unit managed by the—

19 (A) National Park Service;

20 (B) Bureau of Land Management; and

21 (C) United States Fish and Wildlife Serv-
22 ice.

23 (c) SUNSET.—The pilot program established under
24 this subsection shall terminate on the date that is 7 years
25 after the date of the enactment of this title.

1 **SEC. 214. ACCESSIBLE TRAILS.**

2 (a) IN GENERAL.—Not later than 1 year after the
3 date of the enactment of this title, the Secretary concerned
4 shall select a location or locations to develop at least 3
5 new accessible trails—

6 (1) on National Forest System lands in each re-
7 gion of the Forest Service;

8 (2) on land managed by the National Park
9 Service in each region of the National Park Service;

10 (3) on land managed by the Bureau of Land
11 Management in each region of the Bureau of Land
12 Management; and

13 (4) on land managed by the United States Fish
14 and Wildlife Service in each region of the United
15 States Fish and Wildlife Service.

16 (b) DEVELOPMENT.—In developing an accessible
17 trail under subsection (a), the Secretary concerned—

18 (1) may—

19 (A) create a new accessible trail;

20 (B) modify an existing trail into an acces-
21 sible trail; or

22 (C) create an accessible trail from a com-
23 bination of new and existing trails; and

24 (2) shall—

1 (A) consult with stakeholders with respect
2 to the feasibility and resources necessary for
3 completing the accessible trail;

4 (B) ensure the accessible trail complies
5 with the Architectural Barriers Act of 1968 (42
6 U.S.C. 4151 et seq.); and

7 (C) to the extent practicable, ensure that
8 outdoor constructed features supporting the ac-
9 cessible trail, including parking spaces and rest-
10 room facilities, meet the requirements of the
11 Architectural Barriers Act of 1968.

12 (c) COMPLETION.—Not later than 7 years after the
13 date of the enactment of this title, the Secretary con-
14 cerned, in coordination with stakeholders consulted with
15 under subsection (b)(2), shall complete each accessible
16 trail developed under subsection (a).

17 (d) MAPS, SIGNAGE, AND PROMOTIONAL MATE-
18 RIALS.—For each accessible trail developed under sub-
19 section (a), the Secretary concerned shall—

20 (1) publish and distribute maps and install
21 signage, consistent with Architectural Barriers Act
22 accessibility guidelines; and

23 (2) coordinate with stakeholders to leverage any
24 non-Federal resources necessary for the develop-

1 ment, stewardship, completion, or promotion of the
2 accessible trail.

3 (e) CONFLICT AVOIDANCE WITH OTHER USES.—In
4 developing each accessible trail under subsection (a), the
5 Secretary concerned shall ensure that the accessible
6 trail—

7 (1) minimizes conflict with—

8 (A) the uses in effect before the date of the
9 enactment of this title with respect to any trail
10 or road that is part of that accessible trail;

11 (B) multiple-use areas where biking, hik-
12 ing, horseback riding, off-highway vehicle recre-
13 ation, or use by pack and saddle stock are ex-
14 isting uses on the date of the enactment of this
15 title; or

16 (C) the purposes for which any trail is es-
17 tablished under the National Trails System Act
18 (16 U.S.C. 1241 et seq.); and

19 (2) complies with all applicable land use and
20 management plans of the Federal recreational lands
21 and waters on which the accessible trail is located.

22 (f) REPORTS.—

23 (1) INTERIM REPORT.—Not later than 3 years
24 after the date of the enactment of this title, the Sec-
25 retary concerned, in partnership with stakeholders

1 and other interested organizations, shall prepare and
2 publish an interim report that lists the accessible
3 trails developed under this section during the pre-
4 vious 3 years.

5 (2) FINAL REPORT.—Not later than 7 years
6 after the date of the enactment of this title, the Sec-
7 retary concerned, in partnership with stakeholders
8 and other interested organizations, shall prepare and
9 publish a final report that lists the accessible trails
10 developed under this section.

11 **SEC. 215. ACCESSIBLE RECREATION OPPORTUNITIES.**

12 (a) IN GENERAL.—Not later than 1 year after the
13 date of the enactment of this title, the Secretary concerned
14 shall select a location to develop at least 2 new accessible
15 recreation opportunities—

16 (1) on National Forest System lands in each re-
17 gion of the Forest Service;

18 (2) on land managed by the National Park
19 Service in each region of the National Park Service;

20 (3) on land managed by the Bureau of Land
21 Management in each region of the Bureau of Land
22 Management; and

23 (4) on land managed by the United States Fish
24 and Wildlife Service in each region of the United
25 States Fish and Wildlife Service.

1 (b) DEVELOPMENT.—In developing an accessible
2 recreation opportunity under subsection (a), the Secretary
3 concerned—

4 (1) may—

5 (A) create a new accessible recreation op-
6 portunity; or

7 (B) modify an existing recreation oppor-
8 tunity into an accessible recreation opportunity;
9 and

10 (2) shall—

11 (A) consult with stakeholders with respect
12 to the feasibility and resources necessary for
13 completing the accessible recreation oppor-
14 tunity;

15 (B) ensure the accessible recreation oppor-
16 tunity complies with the Architectural Barriers
17 Act of 1968 (42 U.S.C. 4151 et seq.); and

18 (C) to the extent practicable, ensure that
19 outdoor constructed features supporting the ac-
20 cessible recreation opportunity, including park-
21 ing spaces and restroom facilities, meet the re-
22 quirements of the Architectural Barriers Act of
23 1968.

24 (c) ACCESSIBLE RECREATION OPPORTUNITIES.—

25 The accessible recreation opportunities developed under

1 subsection (a) may include improving accessibility or ac-
2 cess to—

3 (1) camp shelters, camping facilities, and camp-
4 ing units;

5 (2) hunting, fishing, shooting, or archery
6 ranges or locations;

7 (3) snow activities, including skiing and
8 snowboarding;

9 (4) water activities, including kayaking, pad-
10 dling, canoeing, and boat launch ramps;

11 (5) rock climbing;

12 (6) biking;

13 (7) off-highway vehicle recreation;

14 (8) picnic facilities and picnic units;

15 (9) outdoor constructed features; and

16 (10) any other new or existing recreation oppor-
17 tunities identified in consultation with stakeholders
18 under subsection (b)(2) and consistent with the ap-
19 plicable land management plan.

20 (d) COMPLETION.—Not later than 7 years after the
21 date of the enactment of this title, the Secretary con-
22 cerned, in coordination with stakeholders consulted with
23 under subsection (b)(2), shall complete each accessible
24 recreation opportunity developed under subsection (a).

1 (e) MAPS, SIGNAGE, AND PROMOTIONAL MATE-
2 RIALS.—For each accessible recreation opportunity devel-
3 oped under subsection (a), the Secretary concerned shall—

4 (1) publish and distribute maps and install
5 signage, consistent with Architectural Barriers Act
6 accessibility guidelines; and

7 (2) coordinate with stakeholders to leverage any
8 non-Federal resources necessary for the develop-
9 ment, stewardship, completion, or promotion of the
10 accessible trail.

11 (f) CONFLICT AVOIDANCE WITH OTHER USES.—In
12 developing each accessible recreation opportunity under
13 subsection (a), the Secretary concerned shall ensure that
14 the accessible recreation opportunity—

15 (1) minimizes conflict with—

16 (A) the uses in effect before the date of the
17 enactment of this title with respect to any Fed-
18 eral recreational lands and waters on which the
19 accessible recreation opportunity is located; or

20 (B) multiple-use areas in existence on the
21 date of the enactment of this title; and

22 (2) complies with all applicable land use and
23 management plans of the Federal recreational lands
24 and waters on which the accessible recreational op-
25 portunity is located.

1 (g) REPORTS.—

2 (1) INTERIM REPORT.—Not later than 3 years
3 after the date of the enactment of this title, the Sec-
4 retary concerned, in partnership with stakeholders
5 and other interested organizations, shall prepare and
6 publish an interim report that lists the accessible
7 trails developed under this section during the pre-
8 vious 3 years.

9 (2) FINAL REPORT.—Not later than 7 years
10 after the date of the enactment of this title, the Sec-
11 retary concerned, in partnership with stakeholders
12 and other interested organizations, shall prepare and
13 publish a final report that lists the accessible trails
14 developed under this section.

15 **SEC. 216. ASSISTIVE TECHNOLOGY.**

16 In carrying out this subtitle, the Secretary concerned
17 may enter into partnerships, contracts, or agreements with
18 other Federal, State, Tribal, local, or private entities, in-
19 cluding existing outfitting and guiding services, to make
20 assistive technology available on Federal recreational
21 lands and waters.

22 **SEC. 217. SAVINGS CLAUSE.**

23 Nothing in the subtitle shall be construed to create
24 any conflicting standards with the Architectural Barriers
25 Act of 1968 (42 U.S.C. 4151 et seq.).

1 **Subtitle B—Military and Veterans**
2 **in Parks**

3 **SEC. 221. PROMOTION OF OUTDOOR RECREATION FOR**
4 **MILITARY SERVICEMEMBERS AND VET-**
5 **ERANS.**

6 Not later than 2 years after the date of the enact-
7 ment of this title, the Secretary concerned, in coordination
8 with the Secretary of Veterans Affairs and the Secretary
9 of Defense, shall develop educational and public awareness
10 materials to disseminate to members of the Armed Forces
11 and veterans, including through preseparation counseling
12 of the Transition Assistance Program under chapter 1142
13 of title 10, United States Code, on—

14 (1) opportunities for members of the Armed
15 Forces and veterans to access Federal recreational
16 lands and waters free of charge under section 805
17 of the Federal Lands Recreation Enhancement Act
18 (16 U.S.C. 6804);

19 (2) the availability and location of accessible
20 trails, including new accessible trails developed and
21 completed under section 214;

22 (3) the availability and location of accessible
23 recreation opportunities, including new accessible
24 recreation opportunities developed and completed
25 under section 215;

1 (2) implement recommendations identified by
2 the Task Force on Outdoor Recreation for Veterans
3 established under section 203 of the Veterans Com-
4 prehensive Prevention, Access to Care, and Treat-
5 ment Act of 2020 (Public Law 116–214), including
6 recommendations related to—

7 (A) identifying new opportunities to for-
8 malize coordination between the Department of
9 Veterans Affairs, Department of Agriculture,
10 Department of the Interior, and partner organi-
11 zations regarding the use of Federal rec-
12 reational lands and waters for facilitating
13 health and wellness for veterans;

14 (B) addressing identified barriers that
15 exist to providing veterans with opportunities to
16 augment the delivery of services for health and
17 wellness through the use of outdoor recreation
18 on Federal recreational lands and waters; and

19 (C) facilitating the use of Federal rec-
20 reational lands and waters for promoting
21 wellness and facilitating the delivery of health
22 care and therapeutic interventions for veterans;

23 (3) coordinate with Military Veterans Outdoor
24 Recreation Liaisons at other Federal agencies and
25 veterans organizations; and

1 (4) promote outdoor recreation experiences for
2 veterans on Federal recreational lands and waters
3 through new and innovative approaches.

4 **SEC. 223. PARTNERSHIPS TO PROMOTE MILITARY AND VET-**
5 **ERAN RECREATION.**

6 (a) IN GENERAL.—The Secretary concerned shall
7 seek to enter into partnerships or agreements with State,
8 Tribal, local, or private entities with expertise in outdoor
9 recreation, volunteer, accessibility, and health and wellness
10 programs for members of the Armed Forces or veterans.

11 (b) PARTNERSHIPS.—As part of a partnership or
12 agreement entered into under subsection (a), the Sec-
13 retary concerned may host events on Federal recreational
14 lands and waters designed to promote outdoor recreation
15 among members of the Armed Forces and veterans.

16 (c) FINANCIAL AND TECHNICAL ASSISTANCE.—
17 Under a partnership or agreement entered into pursuant
18 to subsection (a), the Secretary concerned may provide fi-
19 nancial or technical assistance to the entity with which
20 the respective Secretary concerned has entered into the
21 partnership or agreement to assist with—

22 (1) the planning, development, and execution of
23 events, activities, or programs designed to promote
24 outdoor recreation for members of the Armed Forces
25 or veterans; or

1 (2) the acquisition of assistive technology to fa-
2 cilitate improved outdoor recreation opportunities for
3 members of the Armed Forces or veterans.

4 **SEC. 224. NATIONAL STRATEGY FOR MILITARY AND VET-**
5 **ERAN RECREATION.**

6 (a) STRATEGY.—Not later than 1 year after the date
7 of the enactment of this title, the Secretaries, acting joint-
8 ly, shall develop and make public a strategy to increase
9 visits to Federal recreational lands and waters by mem-
10 bers of the Armed Forces, veterans, and Gold Star Family
11 members.

12 (b) REQUIREMENTS.—A strategy developed under
13 subsection (a)—

14 (1) shall—

15 (A) establish objectives and quantifiable
16 targets for increasing visits to Federal rec-
17 reational lands and waters by members of the
18 Armed Forces, veterans, and Gold Star Family
19 members;

20 (B) include an opportunity for public no-
21 tice and comment;

22 (C) emphasize increased recreation oppor-
23 tunities on Federal recreational lands and
24 waters for members of the Armed Forces, vet-
25 erans, and Gold Star Family members; and

1 (D) provide the anticipated costs to achieve
2 the objectives and meet the targets established
3 under subparagraph (A); and

4 (2) shall not establish any preference between
5 similar recreation facilitated by noncommercial or
6 commercial entities.

7 (c) UPDATE TO STRATEGY.—Not later than 5 years
8 after the date of the publication of the strategy required
9 under subsection (a), and every 5 years thereafter, the
10 Secretaries shall update the strategy and make public the
11 update.

12 **SEC. 225. RECREATION RESOURCE ADVISORY COMMIT-**
13 **TEES.**

14 Section 804(d)(5) of the Federal Lands Recreation
15 Enhancement Act (16 U.S.C. 6803(d)(5)), is amended—

16 (1) in subparagraph (A), by striking “11” and
17 inserting “12”; and

18 (2) in subparagraph (D)(ii)—

19 (A) by striking “Three” and inserting
20 “Four”; and

21 (B) after subclause (III), by inserting the
22 following:

23 “(IV) Veterans organizations, as
24 such term is defined in section 9 of

1 the Military and Veterans in Parks
2 Act.”.

3 **SEC. 226. CAREER AND VOLUNTEER OPPORTUNITIES FOR**
4 **VETERANS.**

5 (a) VETERAN HIRING.—The Secretaries are strongly
6 encouraged to hire veterans in all positions related to the
7 management of Federal recreational lands and waters.

8 (b) PILOT PROGRAM.—

9 (1) ESTABLISHMENT.—The Secretary, in con-
10 sultation with the Assistant Secretary of Labor for
11 Veterans’ Employment and Training and the Sec-
12 retary of Veterans Affairs, shall establish a pilot
13 program under which veterans are employed by the
14 Federal Government in positions that relate to the
15 conservation and resource management activities of
16 the Department of the Interior.

17 (2) POSITIONS.—The Secretary shall—

18 (A) identify vacant positions in the De-
19 partment of the Interior that are appropriate to
20 fill using the pilot program; and

21 (B) to the extent practicable, fill such posi-
22 tions using the pilot program.

23 (3) APPLICATION OF CIVIL SERVICE LAWS.—A
24 veteran employed under the pilot program shall be

1 treated as an employee as defined by section 2105
2 of title 5, United States Code.

3 (4) BRIEFINGS AND REPORT.—

4 (A) INITIAL BRIEFING.—Not later than 60
5 days after the date of the enactment of this
6 title, the Secretary and the Assistant Secretary
7 of Labor for Veterans' Employment and Train-
8 ing shall jointly provide to the appropriate con-
9 gressional committees a briefing on the pilot
10 program under this subsection, which shall in-
11 clude—

12 (i) a description of how the pilot pro-
13 gram will be carried out in a manner to re-
14 duce the unemployment of veterans; and

15 (ii) any recommendations for legisla-
16 tive actions to improve the pilot program.

17 (B) IMPLEMENTATION BRIEFING.—Not
18 later than 1 year after the date on which the
19 pilot program under subsection (a) commences,
20 the Secretary and the Assistant Secretary of
21 Labor for Veterans' Employment and Training
22 shall jointly provide to the appropriate congres-
23 sional committees a briefing on the implementa-
24 tion of the pilot program.

1 (C) FINAL REPORT.—Not later than 30
2 days after the date on which the pilot program
3 under subsection (a) terminates under para-
4 graph (5), the Secretary and the Assistant Sec-
5 retary of Labor for Veterans' Employment and
6 Training shall jointly submit to the appropriate
7 congressional committees a report on the pilot
8 program that includes the following:

9 (i) The number of veterans who ap-
10 plied to participate in the pilot program.

11 (ii) The number of such veterans em-
12 ployed under the pilot program.

13 (iii) The number of veterans identified
14 in clause (ii) who transitioned to full-time
15 positions with the Federal Government
16 after participating in the pilot program.

17 (iv) Any other information the Sec-
18 retary and the Assistant Secretary of
19 Labor for Veterans' Employment and
20 Training determine appropriate with re-
21 spect to measuring the effectiveness of the
22 pilot program.

23 (5) DURATION.—The authority to carry out the
24 pilot program under this subsection shall terminate

1 on the date that is 2 years after the date on which
2 the pilot program commences.

3 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
4 FINED.—In this section, the term “appropriate congres-
5 sional committees” means—

6 (1) the Committee on Veterans’ Affairs and the
7 Committee on Natural Resources of the House of
8 Representatives; and

9 (2) the Committee on Veterans’ Affairs and the
10 Committee on Energy and Natural Resources of the
11 Senate.

12 (d) OUTDOOR RECREATION PROGRAM ATTEND-
13 ANCE.—Each Secretary of a military department is en-
14 couraged to allow members of the Armed Forces on active
15 duty status to participate in programs related to environ-
16 mental stewardship or guided outdoor recreation.

17 **Subtitle C—Youth Access**

18 **SEC. 231. INCREASING YOUTH RECREATION VISITS TO FED- 19 ERAL LAND.**

20 (a) STRATEGY.—Not later than 2 years after the date
21 of the enactment of this title, the Secretaries, acting joint-
22 ly, shall develop and make public a strategy to increase
23 visits to increase the number of youth recreation visits to
24 Federal recreational lands and waters.

1 (b) REQUIREMENTS.—A strategy developed under
2 subsection (a)—

3 (1) shall—

4 (A) emphasize increased recreation oppor-
5 tunities on Federal recreational lands and
6 waters for underserved youth;

7 (B) establish objectives and quantifiable
8 targets for increasing youth recreation visits;
9 and

10 (C) provide the anticipated costs to achieve
11 the objectives and meet the targets established
12 under subparagraph (B); and

13 (2) shall not establish any preference between
14 similar recreation facilitated by noncommercial or
15 commercial entities.

16 (c) UPDATE TO STRATEGY.—Not later than 5 years
17 after the date of the publication of the strategy required
18 under subsection (a), and every 5 years thereafter, the
19 Secretaries shall update the strategy and make public the
20 update.

21 (d) AGREEMENTS.—The Secretaries may enter into
22 contracts or cost-share agreements (including contracts or
23 agreements for the acquisition of vehicles) to carry out
24 this section.

1 **SEC. 232. EVERY KID OUTDOORS ACT EXTENSION.**

2 Section 9001(b)(5) of the John D. Dingell, Jr. Con-
3 servation, Management, and Recreation Act (Public Law
4 116–9) is amended by striking “this Act” and inserting
5 “the EXPLORE Act”.

6 **TITLE III—SIMPLIFYING OUT-**
7 **DOOR ACCESS FOR RECRE-**
8 **ATION**

9 **SEC. 301. DEFINITIONS.**

10 In this title:

11 (1) **COMMERCIAL USE AUTHORIZATION.**—The
12 term “commercial use authorization” means a com-
13 mercial use authorization to provide services to visi-
14 tors to units of the National Park System under
15 subchapter II of chapter 1019 of title 54, United
16 States Code.

17 (2) **MULTIJURISDICTIONAL TRIP.**—The term
18 “multijurisdictional trip” means a trip that—

19 (A) uses 2 or more units of Federal rec-
20 reational lands and waters; and

21 (B) is under the jurisdiction of 2 or more
22 Federal land management agencies.

23 (3) **RECREATION SERVICE PROVIDER.**—The
24 term “recreation service provider” has the meaning
25 given the term in section 802 of the Federal Lands

1 Recreation Enhancement Act (16 U.S.C. 6801) (as
2 amended by section 311).

3 (4) SPECIAL RECREATION PERMIT.—The term
4 “special recreation permit” has the meaning given
5 the term in section 802 of the Federal Lands Recre-
6 ation Enhancement Act (16 U.S.C. 6801) (as
7 amended by section 311).

8 (5) VISITOR-USE DAY.—The term “visitor-use
9 day” means a visitor-use day, user day, launch, or
10 other metric used by the Secretary concerned for
11 purposes of authorizing use under a special recre-
12 ation permit.

13 **Subtitle A—Modernizing** 14 **Recreation Permitting**

15 **SEC. 311. SPECIAL RECREATION PERMIT AND FEE.**

16 (a) SHORT TITLE.—The Federal Lands Recreation
17 Enhancement Act (16 U.S.C. 6801 et seq.) is amended
18 by striking section 801 and inserting the following:

19 **“SEC. 801. SHORT TITLE.**

20 “This title may be cited as the ‘Federal Lands Recre-
21 ation Enhancement Act’.”.

22 (b) DEFINITIONS.—Section 802 of the Federal Lands
23 Recreation Enhancement Act (16 U.S.C. 6801) is amend-
24 ed—

1 (1) in the matter preceding paragraph (1), by
2 striking “this Act” and inserting “this title”;

3 (2) in paragraph (1), by striking “section 3(f)”
4 and inserting “section 803(f)”;

5 (3) in paragraph (2), by striking “section 3(g)”
6 and inserting “section 803(g)”;

7 (4) in paragraph (6), by striking “section 5”
8 and inserting “section 805”;

9 (5) in paragraph (9), by striking “section 5”
10 and inserting “section 805”;

11 (6) in paragraph (12), by striking “section 7”
12 and inserting “section 807”;

13 (7) in paragraph (13), by striking “section
14 3(h)” and inserting “section 803(h)(2)”;

15 (8) by redesignating paragraphs (1), (3), (4),
16 (5), (6), (7), (8), (9), (10), (11), and (13) as para-
17 graphs (15), (1), (3), (4), (5), (6), (7), (8), (11),
18 (10), and (14), respectively, and arranging the para-
19 graphs (as so redesignated) to appear in numerical
20 order;

21 (9) by inserting after paragraph (8) (as so re-
22 designated) the following:

23 “(9) RECREATION SERVICE PROVIDER.—The
24 term ‘recreation service provider’ means a person
25 that provides recreational services to the public

1 under a special recreation permit under clause (iii)
2 or (iv) of paragraph (13)(A).”; and

3 (10) by inserting after paragraph (12) the fol-
4 lowing:

5 “(13) SPECIAL RECREATION PERMIT.—

6 “(A) IN GENERAL.—The term ‘special
7 recreation permit’ means a permit issued by a
8 Federal land management agency for the use of
9 Federal recreational lands and waters—

10 “(i) for a specialized recreational use
11 not described in clause (ii), (iii), or (iv),
12 such as—

13 “(I) an organizational camp;

14 “(II) a single event that does not
15 require an entry or participation fee
16 that is not strictly a sharing of ex-
17 penses for the purposes of the event;
18 and

19 “(III) participation by the public
20 in a recreation activity or recreation
21 use of a specific area of Federal rec-
22 reational lands and waters in which
23 use by the public is allocated;

24 “(ii) for a large-group activity or
25 event of 75 participants or more;

1 “(iii) for—

2 “(I) at the discretion of the Sec-
3 retary, a single organized group recre-
4 ation activity or event (including an
5 activity or event in which motorized
6 recreational vehicles are used or in
7 which outfitting and guiding services
8 are used) that—

9 “(aa) is a structured or
10 scheduled event or activity;

11 “(bb) is not competitive and
12 is for fewer than 75 participants;

13 “(cc) may charge an entry
14 or participation fee;

15 “(dd) involves fewer than
16 200 visitor-use days; and

17 “(ee) is undertaken or pro-
18 vided by the recreation service
19 provider at the same site not
20 more frequently than 3 times a
21 year;

22 “(II) a single competitive event;

23 or

24 “(III) at the discretion of the
25 Secretary, a recurring organized

1 group recreation activity (including an
2 outfitting and guiding activity) that—

3 “(aa) is a structured or
4 scheduled activity;

5 “(bb) is not competitive;

6 “(cc) may charge a partici-
7 pation fee;

8 “(dd) occurs in a group size
9 of fewer than 7 participants;

10 “(ee) involves fewer than 40
11 visitor-use days; and

12 “(ff) is undertaken or pro-
13 vided by the recreation service
14 provider for a term of not more
15 than 180 days; or

16 “(iv) for—

17 “(I) a recurring outfitting, guid-
18 ing, or, at the discretion of the Sec-
19 retary, other recreation service, the
20 authorization for which is for a term
21 of not more than 10 years; or

22 “(II) a recurring outfitting, guid-
23 ing, or, at the discretion of the Sec-
24 retary, other recreation service, that
25 occurs under a transitional special

1 recreation permit authorized under
2 section 316 of the EXPLORE Act.

3 “(B) EXCLUSIONS.—The term ‘special
4 recreation permit’ does not include—

5 “(i) a concession contract for the pro-
6 vision of accommodations, facilities, or
7 services;

8 “(ii) a commercial use authorization
9 issued under section 101925 of title 54,
10 United States Code; or

11 “(iii) any other type of permit, includ-
12 ing a special use permit administered by
13 the National Park Service.”.

14 (c) SPECIAL RECREATION PERMITS AND FEES.—
15 Section 803 of the Federal Lands Recreation Enhance-
16 ment Act (16 U.S.C. 6802) is amended—

17 (1) by striking “this Act” each place it appears
18 and inserting “this title”;

19 (2) in subsection (b)(5), by striking “section
20 4(d)” and inserting “section 804(d)”; and

21 (3) by striking subsection (h) and inserting the
22 following:

23 “(h) SPECIAL RECREATION PERMITS AND FEES.—

24 “(1) SPECIAL RECREATION PERMITS.—

25 “(A) APPLICATIONS.—The Secretary—

1 “(i) may develop and make available
2 to the public an application to obtain a
3 special recreation permit described in
4 clause (i) of section 802(13)(A); and

5 “(ii) shall develop and make available
6 to the public an application to obtain a
7 special recreation permit described in each
8 of clauses (ii) through (iv) of section
9 802(13)(A).

10 “(B) ISSUANCE OF PERMITS.—On review
11 of a completed application developed under sub-
12 paragraph (A), as applicable, and a determina-
13 tion by the Secretary that the applicant is eligi-
14 ble for the special recreation permit, the Sec-
15 retary may issue to the applicant a special
16 recreation permit, subject to any terms and
17 conditions that are determined to be necessary
18 by the Secretary.

19 “(C) INCIDENTAL SALES.—A special recre-
20 ation permit issued under this paragraph may
21 include an authorization for sales that are inci-
22 dental in nature to the permitted use of the
23 Federal recreational lands and waters.

24 “(2) SPECIAL RECREATION PERMIT FEES.—

1 “(A) IN GENERAL.—The Secretary may
2 charge a special recreation permit fee for the
3 issuance of a special recreation permit in ac-
4 cordance with this paragraph.

5 “(B) PREDETERMINED SPECIAL RECRE-
6 ATION PERMIT FEES.—

7 “(i) IN GENERAL.—For purposes of
8 subparagraphs (D) and (E) of this para-
9 graph, the Secretary shall establish and
10 may charge a predetermined fee, described
11 in clause (ii) of this subparagraph, for a
12 special recreation permit described in
13 clause (iii) or (iv) of section 802(13)(A)
14 for a specific type of use on a unit of Fed-
15 eral recreational lands and waters, con-
16 sistent with the criteria set forth in clause
17 (iii) of this subparagraph.

18 “(ii) TYPE OF FEE.—A predetermined
19 fee described in clause (i) shall be—

20 “(I) a fixed fee that is assessed
21 per special recreation permit, includ-
22 ing a fee with an associated size limi-
23 tation or other criteria as determined
24 to be appropriate by the Secretary; or

1 “(II) an amount assessed per vis-
2 itor-use day.

3 “(iii) CRITERIA.—A predetermined fee
4 under clause (i) shall—

5 “(I) have been established before
6 the date of the enactment of the EX-
7 PLORE Act;

8 “(II) be established after the
9 date of the enactment of the EX-
10 PLORE Act, in accordance with sub-
11 section (b);

12 “(III)(aa) be established after
13 the date of the enactment of the EX-
14 PLORE Act; and

15 “(bb) be comparable to an
16 amount described in subparagraph
17 (D)(ii) or (E)(ii), as applicable; or

18 “(IV) beginning on the date that
19 is 2 years after the date of the enact-
20 ment of the EXPLORE Act, be \$6
21 per visitor-use day in instances in
22 which the Secretary has not estab-
23 lished a predetermined fee under sub-
24 clause (I), (II), or (III).

1 “(C) CALCULATION OF FEES FOR SPECIAL-
2 IZED RECREATIONAL USES AND LARGE-GROUP
3 ACTIVITIES OR EVENTS.—The Secretary may,
4 at the discretion of the Secretary, establish and
5 charge a fee for a special recreation permit de-
6 scribed in clause (i) or (ii) of section
7 802(13)(A).

8 “(D) CALCULATION OF FEES FOR SINGLE
9 ORGANIZED GROUP RECREATION ACTIVITIES OR
10 EVENTS, COMPETITIVE EVENTS, AND CERTAIN
11 RECURRING ORGANIZED GROUP RECREATION
12 ACTIVITIES.—If the Secretary elects to charge a
13 fee for a special recreation permit described in
14 section 802(13)(A)(iii), the Secretary shall
15 charge the recreation service provider, based on
16 the election of the recreation service provider—

17 “(i) the applicable predetermined fee
18 established under subparagraph (B); or

19 “(ii) an amount equal to a percentage
20 of, to be determined by the Secretary, but
21 to not to exceed 5 percent of, adjusted
22 gross receipts calculated under subpara-
23 graph (F).

24 “(E) CALCULATION OF FEES FOR TRANSI-
25 TIONAL PERMITS AND LONG-TERM PERMITS.—

1 Subject to subparagraph (G), if the Secretary
2 elects to charge a fee for a special recreation
3 permit described in section 802(13)(A)(iv), the
4 Secretary shall charge the recreation service
5 provider, based on the election of the recreation
6 service provider—

7 “(i) the applicable predetermined fee
8 established under subparagraph (B); or

9 “(ii) an amount equal to a percentage
10 of, to be determined by the Secretary, but
11 not to exceed 3 percent of, adjusted gross
12 receipts calculated under subparagraph
13 (F).

14 “(F) ADJUSTED GROSS RECEIPTS.—For
15 the purposes of subparagraphs (D)(ii) and
16 (E)(ii), the Secretary shall calculate the ad-
17 justed gross receipts collected for each trip or
18 event authorized under a special recreation per-
19 mit, using either of the following calculations,
20 based on the election of the recreation service
21 provider:

22 “(i) The sum of—

23 “(I) the product obtained by mul-
24 tiplying—

1 “(aa) the general amount
2 paid by participants of the trip or
3 event to the recreation service
4 provider for the applicable trip or
5 event (excluding amounts related
6 to goods, souvenirs, merchandise,
7 gear, and additional food pro-
8 vided or sold by the recreation
9 service provider); and

10 “(bb) the quotient obtained
11 by dividing—

12 “(AA) the number of
13 days of the trip or event
14 that occurred on Federal
15 recreational lands and
16 waters covered by the special
17 recreation permit, rounded
18 to the nearest whole day; by

19 “(BB) the total number
20 of days of the trip or event;
21 and

22 “(II) the amount of any addi-
23 tional revenue received by the recre-
24 ation service provider for an add-on
25 activity or an optional excursion that

1 occurred on the Federal recreational
2 lands and waters covered by the spe-
3 cial recreation permit.

4 “(ii) The difference between—

5 “(I) the total cost paid by the
6 participants of the trip or event for
7 the trip or event to the recreation
8 service provider, including any addi-
9 tional revenue received by the recre-
10 ation service provider for an add-on
11 activity or an optional excursion that
12 occurred on the Federal recreational
13 lands and waters covered by the spe-
14 cial recreation permit; and

15 “(II) the sum of—

16 “(aa) the amount of any
17 revenues from goods, souvenirs,
18 merchandise, gear, and additional
19 food provided or sold by the
20 recreation service provider to the
21 participants of the applicable trip
22 or event;

23 “(bb) the amount of any
24 costs or revenues from services
25 and activities provided or sold by

1 the recreation service provider to
2 the participants of the trip or
3 event that occurred in a location
4 other than the Federal rec-
5 reational lands and waters cov-
6 ered by the special recreation
7 permit (including costs for travel
8 and lodging outside the Federal
9 recreational lands and waters
10 covered by the special recreation
11 permit); and

12 “(cc) the amount of any rev-
13 enues from any service provided
14 by a recreation service provider
15 for an activity on Federal rec-
16 reational lands and waters that is
17 not covered by the special recre-
18 ation permit.

19 “(G) EXCEPTION.—Notwithstanding sub-
20 paragraph (E), the Secretary may charge a
21 recreation service provider a minimum annual
22 fee for a special recreation permit described in
23 section 802(13)(A)(iv).

24 “(H) SAVINGS CLAUSES.—

1 “(i) EFFECT.—Nothing in this para-
2 graph affects any fee for—

3 “(I) a concession contract admin-
4 istered by the National Park Service
5 for the provision of accommodations,
6 facilities, or services; or

7 “(II) a commercial use authoriza-
8 tion for use of Federal recreational
9 lands and waters managed by the Na-
10 tional Park Service.

11 “(ii) COST RECOVERY.—Nothing in
12 this paragraph affects the ability of the
13 Secretary to recover any administrative
14 costs under section 320 of the EXPLORE
15 Act.

16 “(iii) SPECIAL RECREATION PERMIT
17 FEES AND OTHER RECREATION FEES.—
18 The collection of a special recreation per-
19 mit fee under this paragraph shall not af-
20 fect the authority of the Secretary to col-
21 lect an entrance fee, a standard amenity
22 recreation fee, or an expanded amenity
23 recreation fee authorized under subsections
24 (e), (f), and (g).

1 “(i) DISCLOSURE OF RECREATION FEES AND USE
2 OF RECREATION FEES.—

3 “(1) NOTICE OF ENTRANCE FEES, STANDARD
4 AMENITY RECREATION FEES, EXPANDED AMENITY
5 RECREATION FEES, AND AVAILABLE RECREATION
6 PASSES.—

7 “(A) IN GENERAL.—The Secretary shall
8 post clear notice of any entrance fee, standard
9 amenity recreation fee, expanded amenity recre-
10 ation fee, and available recreation passes at ap-
11 propriate locations in each unit or area of Fed-
12 eral recreational land and waters at which an
13 entrance fee, standard amenity recreation fee,
14 or expanded amenity recreation fee is charged.

15 “(B) PUBLICATIONS.—The Secretary shall
16 include in publications distributed at a unit or
17 area or described in subparagraph (A) the no-
18 tice described in that subparagraph.

19 “(2) NOTICE OF USES OF RECREATION FEES.—
20 Beginning on January 1, 2026, the Secretary shall
21 annually post, at the location at which a recreation
22 fee described in paragraph (1)(A) is collected, clear
23 notice of—

24 “(A) the total recreation fees collected dur-
25 ing each of the 2 preceding fiscal years at the

1 respective unit or area of the Federal land man-
2 agement agency; and

3 “(B) each use during the preceding fiscal
4 year of the applicable recreation fee or recre-
5 ation pass revenues collected under this section.

6 “(3) NOTICE OF RECREATION FEE PROJECTS.—
7 To the extent practicable, the Secretary shall post
8 clear notice at the location at which work is per-
9 formed using recreation fee and recreation pass rev-
10 enues collected under this section.

11 “(4) CENTRALIZED REPORTING ON AGENCY
12 WEBSITES.—

13 “(A) IN GENERAL.—Not later than Janu-
14 ary 1, 2025, and not later than 60 days after
15 the beginning of each fiscal year thereafter, the
16 Secretary shall post on the website of the appli-
17 cable Federal land management agency a
18 searchable list of each use during the preceding
19 fiscal year of the recreation fee or recreation
20 pass revenues collected under this section.

21 “(B) LIST COMPONENTS.—The list re-
22 quired under subparagraph (A) shall include,
23 with respect to each use described in that sub-
24 paragraph—

1 “(i) a title and description of the over-
2 all project;

3 “(ii) a title and description for each
4 component of the project;

5 “(iii) the location of the project; and

6 “(iv) the amount obligated for the
7 project.

8 “(5) NOTICE TO CUSTOMERS.—A recreation
9 service provider may inform a customer of the recre-
10 ation service provider of any fee charged by the Sec-
11 retary under this section.”.

12 (d) CONFORMING AMENDMENT.—Section 804 of the
13 Federal Lands Recreation Enhancement Act (16 U.S.C.
14 6803) is amended by striking subsection (e).

15 (e) USE OF SPECIAL RECREATION PERMIT REV-
16 ENUE.—Section 808 of the Federal Lands Recreation En-
17 hancement Act (16 U.S.C. 6807) is amended—

18 (1) by striking “this Act” each place it appears
19 and inserting “this title”;

20 (2) in subsection (a)(3)—

21 (A) in subparagraph (E), by striking
22 “and” at the end;

23 (B) in subparagraph (F), by striking “6(a)
24 or a visitor reservation service.” and inserting

25 “806(a) or a visitor reservation service;” and

1 (C) by adding at the end the following:

2 “(G) the processing of special recreation
3 permit applications and administration of spe-
4 cial recreation permits; and

5 “(H) the improvement of the operation of
6 the special recreation permit program under
7 section 803(h).”; and

8 (3) in subsection (d)—

9 (A) in paragraph (1), by striking “section
10 5(a)(7)” and inserting “section 805(a)(7)”; and

11 (B) in paragraph (2), by striking “section
12 5(d)” and inserting “section 805(d)”.

13 (f) REAUTHORIZATION.—Section 810 of the Federal
14 Lands Recreation Enhancement Act (16 U.S.C. 6809) is
15 amended by striking “2019” and inserting “2031”.

16 **SEC. 312. PERMITTING PROCESS IMPROVEMENTS.**

17 (a) IN GENERAL.—To simplify the process of the
18 issuance and or reissuance of special recreation permits
19 and reduce the cost of administering special recreation
20 permits under section 803(h) of the Federal Lands Recre-
21 ation Enhancement Act (16 U.S.C. 6802) (as amended
22 by this title), the Secretaries shall each—

23 (1) during the period beginning on January 1,
24 2021, and ending on January 1, 2025—

1 (A) evaluate the process for issuing special
2 recreation permits; and

3 (B) based on the evaluation under sub-
4 paragraph (A), identify opportunities to—

5 (i) eliminate duplicative processes with
6 respect to issuing special recreation per-
7 mits;

8 (ii) reduce costs for the issuance of
9 special recreation permits;

10 (iii) decrease processing times for spe-
11 cial recreation permits; and

12 (iv) issue simplified special recreation
13 permits, including special recreation per-
14 mits for an organized group recreation ac-
15 tivity or event under subsection (e); and

16 (2) not later than 1 year after the date on
17 which the Secretaries complete the evaluation and
18 identification processes under paragraph (1), revise,
19 as necessary, relevant agency regulations and guid-
20 ance documents, including regulations and guidance
21 documents relating to the environmental review
22 process, for special recreation permits to implement
23 the improvements identified under paragraph (1)(B).

24 (b) ENVIRONMENTAL REVIEWS.—

1 (1) IN GENERAL.—The Secretary concerned
2 shall, to the maximum extent practicable, utilize
3 available tools, including tiering to existing pro-
4 grammatic reviews, as appropriate, to facilitate an
5 effective and efficient environmental review process
6 for activities undertaken by the Secretary concerned
7 relating to the issuance of special recreation permits.

8 (2) CATEGORICAL EXCLUSIONS.—Not later
9 than 1 year after the date of the enactment of this
10 title, the Secretary concerned shall—

11 (A) evaluate whether existing categorical
12 exclusions available to the Secretary concerned
13 on the date of the enactment of this title are
14 consistent with the provisions of this title;

15 (B) evaluate whether a modification of an
16 existing categorical exclusion or the establish-
17 ment of 1 or more new categorical exclusions
18 developed in compliance with the National Envi-
19 ronmental Policy Act of 1969 (42 U.S.C. 4321
20 et seq.) is necessary to undertake an activity
21 described in paragraph (1) in a manner con-
22 sistent with the authorities and requirements in
23 this title; and

24 (C) revise relevant agency regulations and
25 policy statements, as necessary, to modify exist-

1 ing categorical exclusions or incorporate new
2 categorical exclusions based on evaluations con-
3 ducted under this paragraph.

4 (c) NEEDS ASSESSMENTS.—Except as required
5 under subsection (c) or (d) of section 4 of the Wilderness
6 Act (16 U.S.C. 1133), the Secretary concerned shall not
7 conduct a needs assessment as a condition of issuing a
8 special recreation permit under section 803(h) of the Fed-
9 eral Lands Recreation Enhancement Act (16 U.S.C.
10 6802) (as amended by this title).

11 (d) ONLINE APPLICATIONS.—Not later than 3 years
12 after the date of the enactment of this title, the Secre-
13 taries shall make the application for a special recreation
14 permit under section 803(h) of the Federal Lands Recre-
15 ation Enhancement Act (16 U.S.C. 6802) (as amended
16 by this title), including a reissuance of a special recreation
17 permit under that section, available for completion and
18 submission—

19 (1) online;

20 (2) by mail or electronic mail; and

21 (3) in person at the field office for the applica-
22 ble Federal recreational lands and waters.

23 (e) SPECIAL RECREATION PERMITS FOR AN ORGA-
24 NIZED GROUP RECREATION ACTIVITY OR EVENT.—

25 (1) DEFINITIONS.—In this subsection:

1 (A) SPECIAL RECREATION PERMIT FOR AN
2 ORGANIZED GROUP RECREATION ACTIVITY OR
3 EVENT.—The term “special recreation permit
4 for an organized group recreation activity or
5 event” means a special recreation permit de-
6 scribed in subclause (I) or (III) of paragraph
7 (13)(A)(iii) of section 802 of the Federal Lands
8 Recreation Enhancement Act (16 U.S.C. 6801)
9 (as amended by this title).

10 (B) YOUTH GROUP.—The term “youth
11 group” means a recreation service provider that
12 predominantly serves individuals not older than
13 25 years of age.

14 (2) EXEMPTION FROM CERTAIN ALLOCATIONS
15 OF USE.—If the Secretary concerned allocates vis-
16 itor-use days available for an area or activity on
17 Federal recreational lands and waters among recre-
18 ation service providers that hold a permit described
19 in paragraph (13)(A)(iv) of section 802 of the Fed-
20 eral Lands Recreation Enhancement Act (16 U.S.C.
21 6801) (as amended by this title), a special recreation
22 permit for an organized group recreation activity or
23 event shall not be subject to that allocation of vis-
24 itor-use days.

1 (3) ISSUANCE.—In accordance with paragraphs
2 (5) and (6), if use by the general public is not sub-
3 ject to a limited entry permit system and if capacity
4 is available for the times or days in which the pro-
5 posed activity or event would be undertaken, on re-
6 quest of a recreation service provider (including a
7 youth group) to conduct an organized group recre-
8 ation activity or event described in subclause (I) or
9 (III) of paragraph (13)(A)(iii) of section 802 of the
10 Federal Lands Recreation Enhancement Act (16
11 U.S.C. 6801) (as amended by this title), the Sec-
12 retary concerned—

13 (A) shall make a nominal effects deter-
14 mination to determine whether the proposed ac-
15 tivity or event would have more than nominal
16 effects on Federal recreational lands and
17 waters, resources, and programs; and

18 (B)(i) shall not require a recreation service
19 provider (including a youth group) to obtain a
20 special recreation permit for an organized group
21 recreation activity or event if the Secretary con-
22 cerned determines—

23 (I) the proposed activity or event to
24 be undertaken would have only nominal ef-

1 fects on Federal recreational lands and
2 waters, resources, and programs; and

3 (II) establishing additional terms and
4 conditions for the proposed activity or
5 event is not necessary to protect or avoid
6 conflict on or with Federal recreational
7 lands and waters, resources, and programs;

8 (ii) in the case of an organized group
9 recreation activity or event described in section
10 802(13)(A)(iii)(I) of that Act, may issue to a
11 recreation service provider (including a youth
12 group) a special recreation permit for an orga-
13 nized group recreation activity or event, subject
14 to any terms and conditions as are determined
15 to be appropriate by the Secretary concerned, if
16 the Secretary concerned determines—

17 (I) the proposed activity or event to
18 be undertaken would have only nominal ef-
19 fects on Federal recreational lands and
20 waters, resources, and programs; and

21 (II) establishing additional terms and
22 conditions for the proposed activity or
23 event is necessary to protect or avoid con-
24 flict on or with Federal recreational lands
25 and waters, resources, and programs;

1 (iii) in the case of an organized group
2 recreation activity or event described in section
3 802(13)(A)(iii)(III) of that Act, shall issue to a
4 recreation service provider (including a youth
5 group) a special recreation permit for an orga-
6 nized group recreation activity or event, subject
7 to such terms and conditions determined to be
8 appropriate by the Secretary concerned, if the
9 Secretary concerned determines—

10 (I) the proposed activity or event to
11 be undertaken would have only nominal ef-
12 fects on Federal recreational lands and
13 waters, resources, and programs; and

14 (II) establishing additional terms and
15 conditions for the proposed activity or
16 event is necessary to protect or avoid con-
17 flict on or with Federal recreational lands
18 and waters, resources, and programs; and

19 (iv) may issue to a recreation service pro-
20 vider (including a youth group) a special recre-
21 ation permit for an organized group recreation
22 activity or event, subject to any terms and con-
23 ditions determined to be appropriate by the
24 Secretary concerned, if the Secretary concerned
25 determines—

1 (I) the proposed activity or event to
2 be undertaken may have more than nomi-
3 nal effects on Federal recreational lands
4 and waters, resources, and programs; and

5 (II) establishing additional terms and
6 conditions for the proposed activity or
7 event would be necessary to protect or
8 avoid conflict on or with Federal rec-
9 reational lands and waters, resources, and
10 programs.

11 (4) FEES.—The Secretary concerned may elect
12 not to charge a fee to a recreation service provider
13 (including a youth group) for a special recreation
14 permit for an organized group recreation activity or
15 event.

16 (5) SAVINGS CLAUSE.—Nothing in this sub-
17 section prevents the Secretary concerned from lim-
18 iting or abating the allowance of a proposed activity
19 or event under paragraph (3)(B)(i) or the issuance
20 of a special recreation permit for an organized group
21 recreation activity or event, based on resource condi-
22 tions, administrative burdens, or safety issues.

23 (6) QUALIFICATIONS.—A special recreation per-
24 mit for an organized group recreation activity or
25 event issued under paragraph (3) shall be subject to

1 the health and safety standards required by the Sec-
2 retary concerned for a permit issued under para-
3 graph (13)(A)(iv) of section 802 of the Federal
4 Lands Recreation Enhancement Act (16 U.S.C.
5 6801) (as amended by this title).

6 **SEC. 313. PERMIT FLEXIBILITY.**

7 (a) IN GENERAL.—The Secretary concerned shall es-
8 tablish guidelines to allow a holder of a special recreation
9 permit under subsection (h) of section 803 of the Federal
10 Lands Recreation Enhancement Act (16 U.S.C. 6802) (as
11 amended by this title), to engage in another recreational
12 activity under the special recreation permit that is sub-
13 stantially similar to the specific activity authorized under
14 the special recreation permit.

15 (b) CRITERIA.—For the purposes of this section, a
16 recreational activity shall be considered to be a substan-
17 tially similar recreational activity if the recreational activ-
18 ity—

19 (1) is comparable in type, nature, scope, and
20 ecological setting to the specific activity authorized
21 under the special recreation permit;

22 (2) does not result in a greater impact on nat-
23 ural and cultural resources than the impact of the
24 authorized activity;

25 (3) does not adversely affect—

1 (A) any other holder of a special recreation
2 permit or other permit; or

3 (B) any other authorized use of the Fed-
4 eral recreational lands and waters; and

5 (4) is consistent with—

6 (A) any applicable laws (including regula-
7 tions); and

8 (B) the land management plan, resource
9 management plan, or equivalent plan applicable
10 to the Federal recreational lands and waters.

11 (c) SURRENDER OF UNUSED VISITOR-USE DAYS.—

12 (1) IN GENERAL.—A recreation service provider
13 holding a special recreation permit described in
14 paragraph (13)(A)(iv) of section 802 of the Federal
15 Lands Recreation Enhancement Act (16 U.S.C.
16 6801) (as amended by this title) may—

17 (A) notify the Secretary concerned of an
18 inability to use visitor-use days annually allo-
19 cated to the recreation service provider under
20 the special recreation permit; and

21 (B) surrender to the Secretary concerned
22 the unused visitor-use days for the applicable
23 year for temporary reassignment under section
24 318(b).

1 (2) DETERMINATION.—To ensure a recreation
2 service provider described in paragraph (1) is able to
3 make an informed decision before surrendering any
4 unused visitor-use day under paragraph (1)(B), the
5 Secretary concerned shall, on the request of the ap-
6 plicable recreation service provider, determine and
7 notify the recreation service provider whether the
8 unused visitor-use day meets the requirement de-
9 scribed in section 317(b)(3)(B) before the recreation
10 service provider surrenders the unused visitor-use
11 day.

12 (d) EFFECT.—Nothing in this section affects any au-
13 thority of, regulation issued by, or decision of the Sec-
14 retary concerned relating to the use of electric bicycles on
15 Federal recreational lands and waters under any other
16 Federal law.

17 **SEC. 314. PERMIT ADMINISTRATION.**

18 (a) PERMIT AVAILABILITY.—

19 (1) NOTIFICATIONS OF PERMIT AVAIL-
20 ABILITY.—

21 (A) IN GENERAL.—Except as provided in
22 subparagraph (B), in an area of Federal rec-
23 reational lands and waters in which use by
24 recreation service providers is allocated, if the
25 Secretary concerned determines that visitor-use

1 days are available for allocation to recreation
2 service providers or holders of a commercial use
3 authorization for outfitting and guiding, the
4 Secretary concerned shall publish that informa-
5 tion on the website of the agency that admin-
6 isters the applicable area of Federal rec-
7 reational lands and waters.

8 (B) EFFECT.—Nothing in this para-
9 graph—

10 (i) applies to—

11 (I) the reissuance of an existing
12 special recreation permit or commer-
13 cial use authorization for outfitting
14 and guiding; or

15 (II) the issuance of a new special
16 recreation permit or new commercial
17 use authorization for outfitting and
18 guiding issued to the purchaser of—

19 (aa) a recreation service pro-
20 vider that is the holder of an ex-
21 isting special recreation permit;
22 or

23 (bb) a holder of an existing
24 commercial use authorization for
25 outfitting and guiding; or

1 (ii) creates a prerequisite to the
2 issuance of a special recreation permit or
3 commercial use authorization for outfitting
4 and guiding or otherwise limits the author-
5 ity of the Secretary concerned—

6 (I) to issue a new special recre-
7 ation permit or new commercial use
8 authorization for outfitting and guid-
9 ing; or

10 (II) to add a new or additional
11 use to an existing special recreation
12 permit or an existing commercial use
13 authorization for outfitting and guid-
14 ing.

15 (2) UPDATES.—The Secretary concerned shall
16 ensure that information published on the website
17 under this subsection is consistently updated to pro-
18 vide current and correct information to the public.

19 (3) ELECTRONIC MAIL NOTIFICATIONS.—The
20 Secretary concerned shall establish a system by
21 which potential applicants for special recreation per-
22 mits or commercial use authorizations for outfitting
23 and guiding may subscribe to receive notification by
24 electronic mail of the availability of special recre-
25 ation permits under section 803(h)(1) of the Federal

1 Lands Recreation Enhancement Act (16 U.S.C.
2 6802) (as amended by this title) or commercial use
3 authorizations for outfitting and guiding.

4 (b) PERMIT APPLICATION OR PROPOSAL ACKNOWLEDGMENT.—Not later than 60 days after the date on
5 which the Secretary concerned receives a completed appli-
6 cation or a complete proposal for a special recreation per-
7 mit under section 803(h)(1) of the Federal Lands Recre-
8 ation Enhancement Act (16 U.S.C. 6802) (as amended
9 by this title), the Secretary concerned shall—

11 (1) provide to the applicant notice acknowl-
12 edging receipt of the application or proposal; and

13 (2)(A) issue a final decision with respect to the
14 application or proposal; or

15 (B) provide to the applicant notice of a pro-
16 jected date for a final decision on the application or
17 proposal.

18 (c) EFFECT.—Nothing in this section applies to a
19 concession contract issued by the National Park Service
20 for the provision of accommodations, facilities, or services.

21 **SEC. 315. SERVICE FIRST INITIATIVE; PERMITS FOR MULTI-**
22 **JURISDICTIONAL TRIPS.**

23 (a) REPEAL.—Section 330 of the Department of the
24 Interior and Related Agencies Appropriations Act, 2001
25 (43 U.S.C. 1703), is repealed.

1 (b) COOPERATIVE ACTION AND SHARING OF RE-
2 SOURCES BY THE SECRETARIES OF THE INTERIOR AND
3 AGRICULTURE.—

4 (1) IN GENERAL.—For fiscal year 2024, and
5 each fiscal year thereafter, the Secretaries may carry
6 out an initiative, to be known as the “Service First
7 Initiative”, under which the Secretaries may—

8 (A) establish programs to conduct projects,
9 planning, permitting, leasing, contracting, and
10 other activities, either jointly or on behalf of
11 one another;

12 (B) co-locate in Federal offices and facili-
13 ties leased by an agency of the Department of
14 the Interior or the Department of Agriculture;
15 and

16 (C) issue special rules to test the feasibility
17 of issuing unified permits, applications, and
18 leases.

19 (2) DELEGATIONS OF AUTHORITY.—The Secre-
20 taries may make reciprocal delegations of the respec-
21 tive authorities, duties, and responsibilities of the
22 Secretaries in support of the Service First Initiative
23 agency-wide to promote customer service and effi-
24 ciency.

1 (3) EFFECT.—Nothing in this section alters,
2 expands, or limits the applicability of any law (in-
3 cluding regulations) to land administered by the Bu-
4 reau of Land Management, National Park Service,
5 United States Fish and Wildlife Service, or the For-
6 est Service or matters under the jurisdiction of any
7 other bureaus or offices of the Department of the
8 Interior or the Department of Agriculture, as appli-
9 cable.

10 (4) TRANSFERS OF FUNDING.—Subject to the
11 availability of appropriations and to facilitate the
12 sharing of resources under the Service First Initia-
13 tive, the Secretaries are authorized to mutually
14 transfer funds between, or reimburse amounts ex-
15 pended from, appropriate accounts of either Depart-
16 ment on an annual basis, including transfers and re-
17 imbursements for multiyear projects, except that
18 this authority may not be used in a manner that cir-
19 cumvents requirements or limitations imposed on the
20 use of any of the funds so transferred or reim-
21 bursed.

22 (5) REPORT.—The Secretaries shall submit an
23 annual report to the Committee on Natural Re-
24 sources of the House of Representatives and the
25 Committee on Energy and Natural Resources of the

1 Senate describing the activities undertaken as part
2 of the Service First Initiative in the prior year.

3 (c) PILOT PROGRAM FOR SPECIAL RECREATION PER-
4 MITS FOR MULTIJURISDICTIONAL TRIPS.—

5 (1) IN GENERAL.—Not later than 2 years after
6 the date of the enactment of this title, the Secre-
7 taries shall establish a pilot program to offer to a
8 person seeking an authorization for a multijuris-
9 dictional trip a single joint special recreation permit
10 or commercial use authorization that authorizes the
11 use of each unit of Federal recreational lands and
12 waters on which the multijurisdictional trip occurs,
13 subject to the authorities that apply to the applica-
14 ble unit of Federal recreational lands and waters.

15 (2) MINIMUM NUMBER OF PERMITS.—Not later
16 than 4 years after the date of the enactment of this
17 title, the Secretaries shall issue not fewer than 10
18 single joint special recreation permits described in
19 paragraph (13)(A)(iv) of section 802 of the Federal
20 Lands Recreation Enhancement Act (16 U.S.C.
21 6801) (as amended by this title) or commercial use
22 authorizations under the pilot program established
23 under paragraph (1).

1 (3) LEAD AGENCIES.—In carrying out the pilot
2 program established under paragraph (1), the Secre-
3 taries shall—

4 (A) designate a lead agency for issuing and
5 administering a single joint special recreation
6 permit or commercial use authorization; and

7 (B) select not fewer than 4 offices at which
8 a person shall be able to apply for a single joint
9 special recreation permit or commercial use au-
10 thorization, of which—

11 (i) not fewer than 2 offices are man-
12 aged by the Secretary; and

13 (ii) not fewer than 2 offices are man-
14 aged by the Secretary of Agriculture, act-
15 ing through the Chief of the Forest Serv-
16 ice.

17 (4) RETENTION OF AUTHORITY BY THE APPLI-
18 CABLE SECRETARY.—Each of the Secretaries shall
19 retain the authority to enforce the terms, stipula-
20 tions, conditions, and agreements in a single joint
21 special recreation permit or commercial use author-
22 ization issued under the pilot program established
23 under paragraph (1) that apply specifically to the
24 use occurring on the Federal recreational lands and
25 waters managed by the applicable Secretary, under

1 the authorities that apply to the applicable Federal
2 recreational lands and waters.

3 (5) OPTION TO APPLY FOR SEPARATE SPECIAL
4 RECREATION PERMITS OR COMMERCIAL USE AU-
5 THORIZATIONS.—A person seeking the appropriate
6 permits or authorizations for a multijurisdictional
7 trip may apply for—

8 (A) a separate special recreation permit or
9 commercial use authorization for the use of
10 each unit of Federal recreational lands and
11 waters on which the multijurisdictional trip oc-
12 curs; or

13 (B) a single joint special recreational per-
14 mit or commercial use authorization made
15 available under the pilot program established
16 under paragraph (1).

17 (6) EFFECT.—Nothing in this subsection ap-
18 plies to a concession contract issued by the National
19 Park Service for the provision of accommodations,
20 facilities, or services.

1 **SEC. 316. FOREST SERVICE AND BUREAU OF LAND MAN-**
2 **AGEMENT TRANSITIONAL SPECIAL RECRE-**
3 **ATION PERMITS FOR OUTFITTING AND GUID-**
4 **ING.**

5 (a) IN GENERAL.—Not later than 1 year after the
6 date of the enactment of this title, the Secretary concerned
7 shall implement a program to authorize the issuance of
8 transitional special recreation permits for a new or addi-
9 tional reoccurring outfitting, guiding, or other recreation
10 service, as determined by the Secretary concerned, on Fed-
11 eral recreational lands and waters managed by the Chief
12 of the Forest Service or the Director of the Bureau of
13 Land Management.

14 (b) TERM OF TRANSITIONAL PERMITS FOR OUTFIT-
15 TING AND GUIDING.—A transitional special recreation
16 permit issued under subsection (a) shall be issued for a
17 term of 2 years.

18 (c) ISSUANCE OF LONG-TERM PERMITS FOR OUTFIT-
19 TING AND GUIDING.—

20 (1) IN GENERAL.—On the request of a recre-
21 ation service provider that holds a transitional spe-
22 cial recreation permit under the program imple-
23 mented under subsection (a), the Secretary con-
24 cerned shall provide for the issuance of a long-term
25 special recreation permit for outfitting and guiding
26 to replace the transitional special recreation permit

1 if the Secretary concerned determines that the recre-
2 ation service provider—

3 (A) has held not less than 2 transitional
4 special recreation permits or similar permits
5 issued under—

6 (i) the program implemented under
7 subsection (a); or

8 (ii) any other program to issue similar
9 special recreation permits in existence be-
10 fore the date of the enactment of this title;

11 (B) during the 3-year period preceding the
12 request, has not been determined to have a per-
13 formance that is less than satisfactory, as de-
14 termined under the monitoring process de-
15 scribed in section 317(a), for any transitional
16 special recreation permits or similar special
17 recreation permits issued by the Secretary con-
18 cerned, including the transitional special recre-
19 ation permit proposed to be replaced, for the re-
20 spective unit of Federal recreational lands and
21 waters; and

22 (C) notwithstanding section 317(b)(3), has
23 used not less than 50 percent of the visitor-use
24 days allocated to the recreation service provider
25 under the transitional special recreation permit.

1 (2) TERM.—The term of a long-term special
2 recreation permit under this subsection issued to re-
3 place a transitional special recreation permit under
4 paragraph (1) shall be for a period of 5 or 10 years,
5 as determined to be appropriate by the Secretary
6 concerned.

7 (3) VISITOR-USE DAY ALLOCATIONS.—In re-
8 placing a transitional special recreation permit under
9 paragraph (1) with a long-term special recreation
10 permit for outfitting and guiding, the Secretary con-
11 cerned may, at the discretion of the Secretary con-
12 cerned, increase the number of visitor-use days allo-
13 cated to the recreation service provider under the
14 long-term special recreation permit for outfitting
15 and guiding.

16 (d) EFFECT.—Nothing in this section alters or af-
17 fects the authority of the Secretary concerned to issue a
18 special recreation permit under subsection (h)(1) of sec-
19 tion 803 of the Federal Lands Recreation Enhancement
20 Act (16 U.S.C. 6802) (as amended by this title).

21 **SEC. 317. REVIEWS FOR TRANSITIONAL PERMITS AND**
22 **LONG-TERM PERMITS.**

23 (a) MONITORING.—The Secretary concerned shall
24 monitor each recreation service provider issued a special

1 recreation permit for compliance with the terms of the per-
2 mit—

3 (1) annually, in the case of a transitional spe-
4 cial recreation permit for outfitting and guiding
5 issued under section 316;

6 (2) once every 2 years, in the case of a special
7 recreation permit described in paragraph
8 (13)(A)(iv)(I) of section 802 of the Federal Lands
9 Recreation Enhancement Act (16 U.S.C. 6801) (as
10 amended by this title) that is issued for a term of
11 10 years;

12 (3) in the case of a transitional special recre-
13 ation permit replaced under section 316 with a long-
14 term special recreation permit for outfitting and
15 guiding with a term of 10 years, during each of the
16 4th, 6th, 8th, and 10th years in which the long-term
17 special recreation permit is in effect; and

18 (4) in the case of a transitional special recre-
19 ation permit replaced under section 316 with a long-
20 term special recreation permit for outfitting and
21 guiding with a term of 5 years, during each of the
22 4th and 5th years in which the long-term special
23 recreation permit is in effect.

24 (b) USE-OF-ALLOCATION REVIEWS.—

1 (1) IN GENERAL.—If the Secretary of Agri-
2 culture, acting through the Chief of the Forest Serv-
3 ice, or the Secretary, as applicable, allocates visitor-
4 use days among special recreation permits for outfit-
5 ting and guiding, the Secretary of Agriculture, act-
6 ing through the Chief of the Forest Service, shall,
7 and the Secretary may, review the use by the recre-
8 ation service provider of the visitor-use days allo-
9 cated—

10 (A) under a transitional special recreation
11 permit issued under section 316, not later than
12 90 days before the date on which the transi-
13 tional special recreation permit expires; and

14 (B) under a long-term special recreation
15 permit described in paragraph (13)(A)(iv)(I) of
16 section 802 of the Federal Lands Recreation
17 Enhancement Act (16 U.S.C. 6801) (as amend-
18 ed by this title), once every 5 years.

19 (2) REQUIREMENTS OF THE REVIEW.—In con-
20 ducting a review under paragraph (1), the Secretary
21 concerned shall determine—

22 (A) the number of visitor-use days that the
23 recreation service provider used each year under
24 the transitional special recreation permit or the

1 special recreation permit, in accordance with
2 paragraph (3); and

3 (B) the year in which the recreation serv-
4 ice provider used the most visitor-use days
5 under the transitional special recreation permit
6 or the special recreation permit.

7 (3) CONSIDERATION OF SURRENDERED, UN-
8 USED VISITOR-USE DAYS.—For the purposes of de-
9 termining the number of visitor-use days a recre-
10 ation service provider used in a specified year under
11 paragraph (2)(A), the Secretary of Agriculture, act-
12 ing through the Chief of the Forest Service, and the
13 Secretary, as applicable, shall consider an unused
14 visitor-use day that has been surrendered under sec-
15 tion 313(e)(1)(B) as—

16 (A) 1/2 of a visitor-use day used; or

17 (B) 1 visitor-use day used, if the Secretary
18 concerned determines the use of the allocated
19 visitor-use day had been or will be prevented by
20 a circumstance beyond the control of the recre-
21 ation service provider.

22 **SEC. 318. ADJUSTMENT OF ALLOCATED VISITOR-USE DAYS.**

23 (a) ADJUSTMENTS FOLLOWING USE OF ALLOCATION
24 REVIEWS.—On the completion of a use-of-allocation re-
25 view conducted under section 317(b) for a special recre-

1 ation permit described in paragraph (13)(A)(iv)(I) of sec-
2 tion 802 of the Federal Lands Recreation Enhancement
3 Act (16 U.S.C. 6801) (as amended by this title), the Sec-
4 retary of Agriculture, acting through the Chief of the For-
5 est Service, or the Secretary, as applicable, shall adjust
6 the number of visitor-use days allocated to a recreation
7 service provider under the special recreation permit as fol-
8 lows:

9 (1) If the Secretary concerned determines that
10 the performance of the recreation service provider
11 was satisfactory during the most recent review con-
12 ducted under subsection (a) of section 317, the an-
13 nual number of visitor-use days allocated for each
14 remaining year of the permit shall be equal to 125
15 percent of the number of visitor-use days used, as
16 determined under subsection (b)(2)(A) of that sec-
17 tion, during the year identified under subsection
18 (b)(2)(B) of that section, not to exceed the level allo-
19 cated to the recreation service provider on the date
20 on which the special recreation permit was issued.

21 (2) If the Secretary concerned determines the
22 performance of the recreation service provider is less
23 than satisfactory during the most recent perform-
24 ance review conducted under subsection (a) of sec-
25 tion 317, the annual number of visitor-use days allo-

1 cated for each remaining year of the special recre-
2 ation permit shall be equal to not more than 100
3 percent of the number of visitor-use days used, as
4 determined under subsection (b)(2)(A) of that sec-
5 tion during the year identified under subsection
6 (b)(2)(B) of that section.

7 (b) TEMPORARY REASSIGNMENT OF UNUSED VIS-
8 ITOR-USE DAYS.—The Secretary concerned may tempo-
9 rarily assign unused visitor-use days, made available under
10 section 313(c)(1)(B), to—

11 (1) any other existing or potential recreation
12 service provider, notwithstanding the number of vis-
13 itor-use days allocated to the special recreation per-
14 mit holder under the special recreation permit held
15 or to be held by the recreation service provider; or

16 (2) any existing or potential holder of a special
17 recreation permit described in clause (i) or (iii) of
18 paragraph (13)(A) of section 802 of the Federal
19 Lands Recreation Enhancement Act (16 U.S.C.
20 6801) (as amended by this title), including the pub-
21 lic.

22 (c) ADDITIONAL CAPACITY.—If unallocated visitor-
23 use days are available, the Secretary concerned may, at
24 any time, amend a special recreation permit to allocate

1 additional visitor-use days to a qualified recreation service
2 provider.

3 **SEC. 319. LIABILITY.**

4 (a) INSURANCE REQUIREMENTS.—

5 (1) IN GENERAL.—Except as provided in para-
6 graph (2), as a condition of issuing a special recre-
7 ation permit under subsection (h)(1)(B) of section
8 803 of the Federal Lands Recreation Enhancement
9 Act (16 U.S.C. 6802) (as amended by this title) or
10 a commercial use authorization, the Secretary con-
11 cerned may require the holder of the special recre-
12 ation permit or commercial use authorization to have
13 a commercial general liability insurance policy
14 that—

15 (A) is commensurate with the level of risk
16 of the activities to be conducted under the spe-
17 cial recreation permit or commercial use au-
18 thorization; and

19 (B) includes the United States as an addi-
20 tional insured in an endorsement to the applica-
21 ble policy.

22 (2) EXCEPTION.—The Secretary concerned
23 shall not require a holder of a special recreation per-
24 mit or commercial use authorization for low-risk ac-
25 tivities, as determined by the Secretary concerned,

1 including commemorative ceremonies and participa-
2 tion by the public in a recreation activity or recre-
3 ation use of a specific area of Federal recreational
4 lands and waters in which use by the public is allo-
5 cated, to comply with the requirements of paragraph
6 (1).

7 (b) INDEMNIFICATION BY GOVERNMENTAL ENTI-
8 TIES.—The Secretary concerned shall not require a State,
9 State agency, State institution, or political subdivision of
10 a State to indemnify the United States for tort liability
11 as a condition for issuing a special recreation permit or
12 commercial use authorization to the extent the State,
13 State agency, State institution, or political subdivision of
14 a State is precluded by State law from providing indem-
15 nification to the United States for tort liability, if the
16 State, State agency, State institution, or political subdivi-
17 sion of the State maintains the minimum amount of liabil-
18 ity insurance coverage required by the Federal land man-
19 agement agency for the activities conducted under the spe-
20 cial recreation permit or commercial use authorization in
21 the form of—

22 (1) a commercial general liability insurance pol-
23 icy, which includes the United States as an addi-
24 tional insured in an endorsement to the policy, if the

1 State is authorized to obtain commercial general li-
2 ability insurance by State law;

3 (2) self-insurance, which covers the United
4 States as an additional insured, if authorized by
5 State law; or

6 (3) a combination of the coverage described in
7 paragraphs (1) and (2).

8 (c) EXCULPATORY AGREEMENTS.—

9 (1) IN GENERAL.—Except as provided in para-
10 graph (2), a Federal land management agency shall
11 not implement, administer, or enforce any regula-
12 tion, guidance, or policy prohibiting the use of an ex-
13 culpatory agreement between a recreation service
14 provider or a holder of a commercial use authoriza-
15 tion and a customer relating to services provided
16 under a special recreation permit or a commercial
17 use authorization.

18 (2) REQUIREMENTS.—Any exculpatory agree-
19 ment used by a recreation service provider or holder
20 of a commercial use authorization for an activity au-
21 thorized under a special recreation permit or com-
22 mercial use authorization—

23 (A) shall shield the United States from any
24 liability, if otherwise allowable under Federal
25 law; and

1 (B) shall not waive any liability of the
2 recreation service provider or holder of the com-
3 mercial use authorization that may not be
4 waived under the laws (including common law)
5 of the applicable State or for gross negligence,
6 recklessness, or willful misconduct.

7 (3) CONSISTENCY.—Not later than 2 years
8 after the date of the enactment of this title, the Sec-
9 retaries shall—

10 (A) review the policies of the Secretaries
11 pertaining to the use of exculpatory agreements
12 by recreation service providers and holders of
13 commercial use authorizations; and

14 (B) revise any policy described in subpara-
15 graph (A) as necessary to make the policies of
16 the Secretaries pertaining to the use of excul-
17 patory agreements by recreation service pro-
18 viders and holders of commercial use authoriza-
19 tions consistent with this subsection and across
20 all Federal recreational lands and waters.

21 (d) EFFECT.—Nothing in this section applies to a
22 concession contract issued by the National Park Service
23 for the provision of accommodations, facilities, or services.

1 **SEC. 320. COST RECOVERY REFORM.**

2 (a) COST RECOVERY FOR SPECIAL RECREATION
3 PERMITS.—In addition to a fee collected under section
4 803 of the Federal Lands Recreation Enhancement Act
5 (16 U.S.C. 6802) or any other authorized fee collected by
6 the Secretary concerned, the Secretary concerned may as-
7 sess and collect a reasonable fee from an applicant for,
8 or holder of, a special recreation permit to recover admin-
9 istrative costs incurred by the Secretary concerned for—

10 (1) processing a proposal or application for the
11 special recreation permit;

12 (2) issuing the special recreation permit; and

13 (3) monitoring the special recreation permit to
14 ensure compliance with the terms and conditions of
15 the special recreation permit.

16 (b) DE MINIMIS EXEMPTION FROM COST RECOV-
17 ERY.—If the administrative costs described in subsection
18 (a) are assessed on an hourly basis, the Secretary con-
19 cerned shall—

20 (1) establish an hourly de minimis threshold
21 that exempts a specified number of hours from the
22 assessment and collection of administrative costs de-
23 scribed in subsection (a); and

24 (2) charge an applicant only for any hours that
25 exceed the de minimis threshold.

1 (c) MULTIPLE APPLICATIONS.—If the Secretary con-
2 cerned collectively processes multiple applications for spe-
3 cial recreation permits for the same or similar services in
4 the same unit of Federal recreational lands and waters,
5 the Secretary concerned shall, to the extent practicable—

6 (1) assess from the applicants the fee described
7 in subsection (a) on a prorated basis; and

8 (2) apply the exemption described in subsection
9 (b) to each applicant on an individual basis.

10 (d) LIMITATION.—The Secretary concerned shall not
11 assess or collect administrative costs under this section for
12 a programmatic environmental review.

13 (e) COST REDUCTION.—To the maximum extent
14 practicable, the agency processing an application for a spe-
15 cial recreation permit shall use existing studies and anal-
16 ysis to reduce the quantity of work and costs necessary
17 to process the application.

18 **SEC. 321. AVAILABILITY OF FEDERAL, STATE, AND LOCAL**
19 **RECREATION PASSES.**

20 (a) IN GENERAL.—The Federal Lands Recreation
21 Enhancement Act is amended by inserting after section
22 805 (16 U.S.C. 6804) the following:

23 **“SEC. 805A. AVAILABILITY OF FEDERAL, STATE, AND LOCAL**
24 **RECREATION PASSES.**

25 “(a) ESTABLISHMENT OF PROGRAM.—

1 “(1) IN GENERAL.—To improve the availability
2 of Federal, State, and local outdoor recreation
3 passes, the Secretaries are encouraged to consult
4 with States and counties to coordinate the avail-
5 ability of Federal, State, and local recreation passes
6 to allow a purchaser to buy a Federal recreation
7 pass, State recreation pass, and local recreation pass
8 in a single transaction.

9 “(2) INCLUDED PASSES.—Passes covered by
10 the program established under paragraph (1) in-
11 clude—

12 “(A) an America the Beautiful—the Na-
13 tional Parks and Federal Recreational Lands
14 Pass under section 805; and

15 “(B) any pass covering any fees charged
16 by participating States and counties for en-
17 trance and recreational use of parks and public
18 land in the participating States.

19 “(b) AGREEMENTS WITH STATES AND COUNTIES.—

20 “(1) IN GENERAL.—The Secretaries, after con-
21 sultation with the States and counties, may enter
22 into agreements with States and counties to coordi-
23 nate the availability of passes as described in sub-
24 section (a).

1 “(2) REVENUE FROM PASS SALES.—Agree-
2 ments between the Secretaries, States, and counties
3 entered into pursuant to this section shall ensure
4 that—

5 “(A) funds from the sale of State or local
6 passes are transferred to the appropriate State
7 agency or county government;

8 “(B) funds from the sale of Federal passes
9 are transferred to the appropriate Federal
10 agency; and

11 “(C) fund transfers are completed by the
12 end of a fiscal year for all pass sales occurring
13 during the fiscal year.”.

14 (b) CLERICAL AMENDMENT.—The table of contents
15 for the Federal Lands Recreation Enhancement Act is
16 amended by inserting after the item relating to section
17 805 the following:

 “Sec. 805A. Availability of Federal, State, and local recreation passes.”.

18 **SEC. 322. ONLINE PURCHASES AND ESTABLISHMENT OF A**
19 **DIGITAL VERSION OF AMERICA THE BEAU-**
20 **TIFUL—THE NATIONAL PARKS AND FEDERAL**
21 **RECREATIONAL LANDS PASSES.**

22 (a) ONLINE PURCHASES OF AMERICA THE BEAU-
23 TIFUL—THE NATIONAL PARKS AND FEDERAL REC-
24 REATIONAL LANDS PASS.—Section 805(a)(6) of the Fed-
25 eral Lands Recreation Enhancement Act (16 U.S.C.

1 6804(a)(6)) is amended by striking subparagraph (A) and
2 inserting the following:

3 “(A) IN GENERAL.—The Secretaries shall
4 sell or otherwise make available the National
5 Parks and Federal Recreational Lands Pass—

6 “(i) at all Federal recreational lands
7 and waters at which—

8 “(I) an entrance fee or a stand-
9 ard amenity recreation fee is charged;
10 and

11 “(II) such sales or distribution of
12 the Pass is feasible;

13 “(ii) at such other locations as the
14 Secretaries consider appropriate and fea-
15 sible; and

16 “(iii) through the website of each of
17 the Federal land management agencies and
18 the websites of the relevant units and
19 subunits of those agencies, which shall in-
20 clude—

21 “(I) a prominent link on each
22 website; and

23 “(II) information about where
24 and when a National Parks and Fed-

1 eral Recreational Lands Pass may be
2 used.”.

3 (b) DIGITAL VERSION OF THE AMERICA THE BEAU-
4 TIFUL—THE NATIONAL PARKS AND FEDERAL RECRE-
5 ATION LANDS PASS.—Section 805(a) of the Federal
6 Lands Recreation Enhancement Act (16 U.S.C. 6804(a))
7 is amended by adding at the end the following:

8 “(10) DIGITAL RECREATION PASSES.—Not
9 later than January 1, 2026, the Secretaries shall—

10 “(A) establish a digital version of the Na-
11 tional Parks and Federal Recreational Lands
12 Pass that is able to be stored on a mobile de-
13 vice, including with respect to free and dis-
14 counted passes; and

15 “(B) upon completion of a transaction for
16 a National Parks and Federal Recreational
17 Lands Pass, make immediately available to the
18 passholder a digital version of the National
19 Parks and Federal Recreational Lands Pass es-
20 tablished under subparagraph (A).”.

21 (c) ENTRANCE PASS AND AMENITY FEES.—Section
22 803 of the Federal Lands Recreation Enhancement Act
23 (16 U.S.C. 6802) (as amended by this title) is amended
24 by adding at the end the following:

25 “(j) ONLINE PAYMENTS.—

1 “(1) IN GENERAL.—In addition to providing
2 onsite payment methods, the Secretaries may collect
3 payment online for—

4 “(A) entrance fees under subsection (e);

5 “(B) standard amenity recreation fees
6 under subsection (f);

7 “(C) expanded amenity recreation fees
8 under subsection (g); and

9 “(D) special recreation permit fees.

10 “(2) DISTRIBUTION OF ONLINE PAYMENTS.—

11 An online payment collected under paragraph (1)
12 that is associated with a specific unit or area of a
13 Federal land management agency shall be distrib-
14 uted in accordance with section 805(c).”.

15 **SEC. 323. SAVINGS PROVISION.**

16 Nothing in this subtitle, or in any amendment made
17 by this subtitle, shall be construed as affecting the author-
18 ity or responsibility of the Secretary of the Interior to
19 award concessions contracts for the provision of accom-
20 modations, facilities, and services, or commercial use au-
21 thorizations to provide services, to visitors to units of the
22 National Park System pursuant to subchapter II of chap-
23 ter 1019 of title 54, United States Code (formerly known
24 as the “National Park Service Concessions Management
25 Improvement Act of 1998”), except that sections 314(a),

1 315, 319(a), 319(b), and 319(c) of this subtitle shall also
2 apply to commercial use authorizations under that Act.

3 **Subtitle B—Making Recreation a**
4 **Priority**

5 **SEC. 331. EXTENSION OF SEASONAL RECREATION OPPOR-**
6 **TUNITIES.**

7 (a) DEFINITION OF SEASONAL CLOSURE.—In this
8 section, the term “seasonal closure” means any period
9 during which—

10 (1) a unit, or portion of a unit, of Federal rec-
11 reational lands and waters is closed to the public for
12 a continuous period of 30 days or more, excluding
13 temporary closures relating to wildlife conservation
14 or public safety; and

15 (2) permitted or allowable recreational activi-
16 ties, which provide an economic benefit, including
17 off-season or winter-season tourism, do not take
18 place at the unit, or portion of a unit, of Federal
19 recreational lands and waters.

20 (b) COORDINATION.—

21 (1) IN GENERAL.—The Secretaries shall consult
22 and coordinate with outdoor recreation-related busi-
23 nesses operating on, or adjacent to, a unit of Fed-
24 eral recreational lands and waters, State offices of
25 outdoor recreation, local destination marketing orga-

1 nizations, applicable trade organizations, nonprofit
2 organizations, Indian Tribes, local governments, and
3 institutions of higher education—

4 (A) to better understand—

5 (i) trends with respect to visitors to
6 the unit of Federal recreational lands and
7 waters;

8 (ii) the effect of seasonal closures on
9 areas of, or infrastructure on, units of
10 Federal recreational lands and waters on
11 outdoor recreation opportunities, adjacent
12 businesses, and local tax revenue; and

13 (iii) opportunities to extend the period
14 of time during which areas of, or infra-
15 structure on, units of Federal recreational
16 lands and waters are open to the public to
17 increase outdoor recreation opportunities
18 and associated revenues for businesses and
19 local governments; and

20 (B) to solicit input from, and provide in-
21 formation for, outdoor recreation marketing
22 campaigns.

23 (2) LOCAL COORDINATION.—As part of the con-
24 sultation and coordination required under subpara-
25 graph (1), the Secretaries shall encourage relevant

1 unit managers of Federal recreational lands and
2 waters managed by the Forest Service, the Bureau
3 of Land Management, and the National Park Serv-
4 ice to consult and coordinate with local governments,
5 Indian Tribes, outdoor recreation-related businesses,
6 and other local stakeholders operating on or adja-
7 cent to the relevant unit of Federal recreational
8 lands and waters.

9 (d) EXTENSIONS BEYOND SEASONAL CLOSURES.—

10 (1) EXTENSION OF RECREATIONAL SEASON.—

11 In the case of a unit of Federal recreational lands
12 and waters managed by the Forest Service, the Bu-
13 reau of Land Management, or the National Park
14 Service in which recreational use is highly seasonal,
15 the Secretary concerned, acting through the relevant
16 unit manager, may—

17 (A) as appropriate, extend the recreation
18 season or increase recreation use in a sustain-
19 able manner during the offseason; and

20 (B) make information about extended sea-
21 son schedules and related recreational opportu-
22 nities available to the public and local commu-
23 nities.

24 (2) DETERMINATION.—In determining whether
25 to extend the recreation season under this sub-

1 section, the Secretary concerned, acting through the
2 relevant unit manager, shall consider the benefits of
3 extending the recreation season—

4 (A) for the duration of income to gateway
5 communities; and

6 (B) to provide more opportunities to visit
7 resources on units of Federal recreational lands
8 and waters to reduce crowding during peak visi-
9 tation.

10 (3) CLARIFICATION.—Nothing in this sub-
11 section precludes the Secretary concerned, acting
12 through the relevant unit manager, from providing
13 for additional recreational opportunities and uses at
14 times other than those described in this subsection.

15 (4) INCLUSIONS.—An extension of a recreation
16 season or an increase in recreation use during the
17 offseason under paragraph (1) may include—

18 (A) the addition of facilities that would in-
19 crease recreation use during the offseason; and

20 (B) improvement of access to the relevant
21 unit to extend the recreation season.

22 (5) REQUIREMENT.—An extension of a recre-
23 ation season or increase in recreation use during the
24 offseason under paragraph (1) shall be done in com-

1 pliance with all applicable Federal laws, regulations,
2 and policies, including land use plans.

3 (6) AGREEMENTS.—

4 (A) IN GENERAL.—The Secretary con-
5 cerned may enter into agreements with busi-
6 nesses, local governments, or other entities to
7 share the cost of additional expenses necessary
8 to extend the period of time during which an
9 area of, or infrastructure on, a unit of Federal
10 recreational lands and waters is made open to
11 the public.

12 (B) IN-KIND CONTRIBUTIONS.—The Sec-
13 retary concerned may accept in-kind contribu-
14 tions of goods and services provided by busi-
15 nesses, local governments, or other entities for
16 purposes of paragraph (1).

17 **Subtitle C—Maintenance of Public**
18 **Land**

19 **SEC. 341. VOLUNTEERS IN THE NATIONAL FORESTS AND**
20 **PUBLIC LAND ACT.**

21 The Volunteers in the National Forests Act of 1972
22 (16 U.S.C. 558a et seq.) is amended to read as follows:

23 **“SEC. 1. SHORT TITLE.**

24 “This Act may be cited as the ‘Volunteers in the Na-
25 tional Forests and Public Lands Act’.

1 **“SEC. 2. PURPOSE.**

2 “The purpose of this Act is to leverage volunteer en-
3 gagement to supplement projects that are carried out by
4 the Secretaries to fulfill the missions of the Forest Service
5 and the Bureau of Land Management and are accom-
6 plished with appropriated funds.

7 **“SEC. 3. DEFINITION OF SECRETARIES.**

8 “In this Act, the term ‘Secretaries’ means each of—

9 “(1) the Secretary of Agriculture, acting
10 through the Chief of the Forest Service; and

11 “(2) the Secretary of the Interior, acting
12 through the Director of the Bureau of Land Man-
13 agement.

14 **“SEC. 4. AUTHORIZATION.**

15 “The Secretaries are authorized to recruit, train, and
16 accept without regard to the civil service and classification
17 laws, rules, or regulations the services of individuals with-
18 out compensation as volunteers for or in aid of recreation
19 access, trail construction or maintenance, facility con-
20 struction or maintenance, educational uses (including out-
21 door classroom construction or maintenance), interpretive
22 functions, visitor services, conservation measures and de-
23 velopment, or other activities in and related to areas ad-
24 ministered by the Secretaries. In carrying out this section,
25 the Secretaries shall consider referrals of prospective vol-

1 unteers made by the Corporation for National and Com-
2 munity Service.

3 **“SEC. 5. INCIDENTAL EXPENSES.**

4 “The Secretaries are authorized to provide for inci-
5 dental expenses, such as transportation, uniforms, lodg-
6 ing, training, equipment, and subsistence.

7 **“SEC. 6. CONSIDERATION AS FEDERAL EMPLOYEE.**

8 “(a) Except as otherwise provided in this section, a
9 volunteer shall not be deemed a Federal employee and
10 shall not be subject to the provisions of law relating to
11 Federal employment, including those relating to hours of
12 work, rates of compensation, leave, unemployment com-
13 pensation, and Federal employee benefits.

14 “(b) For the purpose of the tort claim provisions of
15 title 28, United States Code, a volunteer under this Act
16 shall be considered a Federal employee.

17 “(c) For the purposes of subchapter I of chapter 81
18 of title 5, United States Code, relating to compensation
19 to Federal employees for work injuries, volunteers under
20 this Act shall be deemed civil employees of the United
21 States within the meaning of the term ‘employee’ as de-
22 fined in section 8101 of title 5, United States Code, and
23 the provisions of that subchapter shall apply.

24 “(d) For the purposes of claims relating to damage
25 to, or loss of, personal property of a volunteer incident

1 to volunteer service, a volunteer under this Act shall be
2 considered a Federal employee, and the provisions of sec-
3 tion 3721 of title 31, United States Code, shall apply.

4 “(e) For the purposes of subsections (b), (c), and (d),
5 the term ‘volunteer’ includes a person providing volunteer
6 services to either of the Secretaries who—

7 “(1) is recruited, trained, and supported by a
8 cooperator under a mutual benefit agreement or co-
9 operative agreement with either of the Secretaries;
10 and

11 “(2) performs such volunteer services under the
12 supervision of the cooperator as directed by either of
13 the Secretaries in the mutual benefit agreement or
14 cooperative agreement in the mutual benefit agree-
15 ment, including direction that specifies—

16 “(A) the volunteer services, including the
17 geographic boundaries of the work to be per-
18 formed by the volunteers, and the supervision
19 to be provided by the cooperator;

20 “(B) the applicable project safety stand-
21 ards and protocols to be adhered to by the vol-
22 unteers and enforced by the cooperator;

23 “(C) the on-site visits to be made by either
24 of the Secretaries, if feasible and only if nec-
25 essary to verify that volunteers are performing

1 the volunteer services and the cooperator is pro-
2 viding the supervision agreed upon;

3 “(D) the equipment the volunteers are au-
4 thorized to use;

5 “(E) the training the volunteers are re-
6 quired to complete;

7 “(F) the actions the volunteers are author-
8 ized to take; and

9 “(G) any other terms and conditions that
10 are determined to be necessary by the applica-
11 ble Secretary.

12 **“SEC. 7. PROMOTION OF VOLUNTEER OPPORTUNITIES.**

13 “The Secretaries shall promote volunteer opportuni-
14 ties in areas administered by the Secretaries.

15 **“SEC. 8. LIABILITY INSURANCE.**

16 “The Secretaries shall not require a cooperator or
17 volunteer (as those terms are used in section 6) to have
18 liability insurance to provide the volunteer services author-
19 ized under this Act.”.

20 **SEC. 342. REFERENCE.**

21 Any reference to the Volunteers in the National For-
22 ests Act of 1972 in any law, regulation, map, document,
23 record, or other paper of the United States shall be
24 deemed to be a reference to the Volunteers in the National
25 Forests and Public Land Act.

1 (B) public lands (as defined in section 103
2 of the Federal Land Policy and Management
3 Act of 1976 (43 U.S.C. 1702)).

4 (4) RECREATION ENHANCEMENT OR IMPROVE-
5 MENT SERVICES.—The term “recreation enhance-
6 ment or improvement services” means—

7 (A) establishing, repairing, restoring, im-
8 proving, relocating, constructing, or recon-
9 structing new or existing—

10 (i) trails or trailheads;

11 (ii) campgrounds and camping areas;

12 (iii) cabins;

13 (iv) picnic areas or other day use
14 areas;

15 (v) shooting ranges;

16 (vi) restroom or shower facilities;

17 (vii) paved or permanent roads or
18 parking areas that serve existing recreation
19 facilities or areas;

20 (viii) fishing piers, wildlife viewing
21 platforms, docks, or other constructed fea-
22 tures at a recreation site;

23 (ix) boat landings;

24 (x) hunting or fishing sites;

25 (xi) infrastructure within ski areas; or

1 (xii) visitor centers or other interpre-
2 tative sites; and

3 (B) activities that create, improve, or re-
4 store access to existing recreation facilities or
5 areas.

6 (5) GOOD NEIGHBOR AGREEMENT.—The term
7 “good neighbor agreement” means a cooperative
8 agreement or contract (including a sole source con-
9 tract) entered into between the Secretary and a Gov-
10 ernor, Indian Tribe, or county, as applicable, to
11 carry out authorized recreation services under this
12 title.

13 (6) GOVERNOR.—The term “Governor” means
14 the Governor or any other appropriate executive offi-
15 cial of an affected State or the Commonwealth of
16 Puerto Rico.

17 (7) SECRETARY CONCERNED.—The term “Sec-
18 retary concerned” means—

19 (A) the Secretary of Agriculture, with re-
20 spect to National Forest System land; and

21 (B) the Secretary of the Interior, with re-
22 spect to National Park System land and public
23 lands.

24 (b) GOOD NEIGHBOR AGREEMENTS FOR RECRE-
25 ATION.—

1 (1) IN GENERAL.—The Secretary concerned
2 may enter into a good neighbor agreement with a
3 Governor, Indian Tribe, or county to carry out au-
4 thorized recreation services in accordance with this
5 title.

6 (2) PUBLIC AVAILABILITY.—The Secretary con-
7 cerned shall make each good neighbor agreement
8 available to the public.

9 (3) FINANCIAL AND TECHNICAL ASSISTANCE.—

10 (A) IN GENERAL.—The Secretary con-
11 cerned may provide financial or technical assist-
12 ance to a Governor, Indian Tribe, or county
13 carrying out authorized recreation services.

14 (B) ADDITIONAL TREATMENTS OF REV-
15 ENUE.—Section 8206(b)(2)(C) of the Agricul-
16 tural Act of 2014 (16 U.S.C. 2113a(b)(2)(C))
17 is amended to read as follows:

18 “(C) TREATMENT OF REVENUE.—

19 “(i) IN GENERAL.—Funds received
20 from the sale of timber by a Governor, In-
21 dian Tribe, or county under a good neigh-
22 bor agreement shall be retained and used
23 by the Governor, Indian Tribe, or county,
24 as applicable—

1 “(I) to carry out authorized res-
2 toration services on under the good
3 neighbor agreement; and

4 “(II) if there are funds remain-
5 ing after carrying out clause (i), to
6 carry out—

7 “(aa) authorized restoration
8 services under other good neigh-
9 bor agreements; or

10 “(bb) authorized recreation
11 services under the Good Neighbor
12 Authority for Recreation Act.

13 “(ii) TERMINATION OF EFFECTIVE-
14 NESS.—The authority provided under this
15 subparagraph terminates effective October
16 1, 2028.”.

17 (4) RETENTION OF NEPA RESPONSIBILITIES.—

18 Any decision required to be made under the Na-
19 tional Environmental Policy Act of 1969 (42 U.S.C.
20 4321 et seq.) with respect to any authorized recre-
21 ation services to be provided under this section on
22 Federal land shall not be delegated to a Governor,
23 Indian Tribe, or county.

1 **SEC. 352. PERMIT RELIEF FOR PICNIC AREAS.**

2 (a) IN GENERAL.—If the Secretary concerned does
3 not require the public to obtain a permit or reservation
4 to access a picnic area on Federal recreational lands and
5 waters administered by the Forest Service or the Bureau
6 of Land Management, the Secretary concerned shall not
7 require a covered person to obtain a permit solely to access
8 the picnic area.

9 (b) COVERED PERSON DEFINED.—In this section,
10 the term “covered person” means a person (including an
11 educational group) that provides outfitting and guiding
12 services to fewer than 40 customers per year at a picnic
13 area described in subsection (a).

14 **SEC. 353. INTERAGENCY REPORT ON SPECIAL RECREATION**
15 **PERMITS FOR UNDERSERVED COMMUNITIES.**

16 (a) COVERED COMMUNITY DEFINED.—In this sec-
17 tion, the term “covered community” means a rural or
18 urban community, including an Indian Tribe, that is—

19 (1) low-income or underserved; and

20 (2) has been underrepresented in outdoor recre-
21 ation opportunities on Federal recreational lands
22 and waters.

23 (b) REPORT.—Not later than 3 years after the date
24 of the enactment of this title, the Secretaries, acting joint-
25 ly, shall submit to the Committee on Energy and Natural
26 Resources of the Senate and the Committee on Natural

1 Resources of the House of Representatives a report that
2 describes—

3 (1) the estimated use of special recreation per-
4 mits serving covered communities;

5 (2) examples of special recreation permits, part-
6 nerships, cooperative agreements, or other arrange-
7 ments providing access to Federal recreational lands
8 and waters for covered communities;

9 (3) other ways covered communities are engag-
10 ing on Federal recreational lands and waters, includ-
11 ing through stewardship and conservation projects
12 or activities;

13 (4) any barriers for existing or prospective
14 recreation service providers and holders of commer-
15 cial use authorizations operating within or serving a
16 covered community; and

17 (5) any recommendations to facilitate and in-
18 crease permitted access to Federal recreational lands
19 and waters for covered communities.

20 **SEC. 354. MODERNIZING ACCESS TO OUR PUBLIC LAND ACT**
21 **AMENDMENTS.**

22 The Modernizing Access to Our Public Land Act (16
23 U.S.C. 6851 et seq.) is amended—

1 (1) in section 3(1) (16 U.S.C. 6852(1)), by
2 striking “public outdoor recreational use” and in-
3 sserting “recreation sites”;

4 (2) in section 5(a)(4) (16 U.S.C. 6854(a)(4)),
5 by striking “permanently restricted or prohibited”
6 and inserting “regulated or closed”; and

7 (3) in section 6(b) (16 U.S.C. 6855(b))—

8 (A) by striking “may” and inserting
9 “shall”; and

10 (B) by striking “the Secretary of the Inte-
11 rior” and inserting “the Secretaries”.

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