

118TH CONGRESS
2D SESSION

H. R. 6492

IN THE SENATE OF THE UNITED STATES

APRIL 10, 2024

Received

AN ACT

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,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) **SHORT TITLE.**—This Act may be cited as the
 3 “Expanding Public Lands Outdoor Recreation Experi-
 4 ences Act” or the “EXPLORE Act”.

5 (b) **TABLE OF CONTENTS.**—The table of contents for
 6 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.
- Sec. 143. Public lands telecommunications cooperative agreements.

Subtitle E—Public–Private Parks Partnerships

- Sec. 151. Authorization for lease of forest service administrative sites.
- 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 and Restroom opportunities for Federal recreational lands and waters.
- Sec. 155. Pay-for-performance projects.
- Sec. 156. Outdoor recreation legacy partnership program.
- Sec. 157. American battlefield protection program enhancement.

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 temporary special recreation permits for outfitting and guiding.
- Sec. 317. Reviews for 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 Lands 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.

Sec. 355. Savings provision.

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,

1 in the determination of the Secretaries, seasonal or
2 year-round visitation.

3 (4) INDIAN TRIBE.—The term “Indian Tribe”
4 has the meaning given the term in section 4 of the
5 Indian Self-Determination and Education Assistance
6 Act (25 U.S.C. 5304).

7 (5) LAND USE PLAN.—The term “land use
8 plan” means—

9 (A) a land use plan prepared by the Sec-
10 retary pursuant to section 202 of the Federal
11 Land Policy and Management Act of 1976 (43
12 U.S.C. 1712); and

13 (B) a land management plan prepared by
14 the Forest Service for a unit of the National
15 Forest Service pursuant to section 6 of the For-
16 est and Rangeland Renewable Resources Plan-
17 ning Act of 1974 (16 U.S.C. 1604).

18 (6) SECRETARIES.—The term “Secretaries”
19 means each of—

20 (A) the Secretary; and

21 (B) the Secretary of Agriculture.

22 (7) SECRETARY.—The term “Secretary” means
23 the Secretary of the Interior.

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

1 (A) the Secretary, with respect to land
2 under the jurisdiction of the Secretary; or

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

5 (9) STATE.—The term “State” means each of
6 the several States, the District of Columbia, and
7 each territory of the United States.

8 **TITLE I—OUTDOOR RECRE-**
9 **ATION AND INFRASTRUC-**
10 **TURE**

11 **Subtitle A—Outdoor Recreation**
12 **Policy**

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

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

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

21 (a) INVENTORY AND ASSESSMENTS.—

22 (1) IN GENERAL.—The Secretary concerned
23 shall—

1 (A) conduct an inventory and assessment
2 of recreation resources for Federal recreational
3 lands and waters;

4 (B) develop the inventory and assessment
5 with support from public comment; and

6 (C) update the inventory and assessment
7 as the Secretary concerned determines appro-
8 priate.

9 (2) UNIQUE RECREATION VALUES.—An inven-
10 tory and assessment conducted under paragraph (1)
11 shall—

12 (A) recognize—

13 (i) any unique recreation values and
14 recreation opportunities; and

15 (ii) areas of concentrated recreational
16 use; and

17 (B) identify, list, and map recreation re-
18 sources by—

19 (i) type of recreation opportunity and
20 type of natural or artificial recreation in-
21 frastructure;

22 (ii) to the extent available, the level of
23 use of the recreation resource as of the
24 date of the inventory; and

1 (iii) identifying, to the extent prac-
2 ticable, any trend relating to recreation op-
3 portunities or use at a recreation resource
4 identified under subparagraph (A).

5 (3) ASSESSMENTS.—For any recreation re-
6 source inventoried under paragraph (1), the Sec-
7 retary concerned shall assess—

8 (A) the maintenance needs of, and ex-
9 penses necessary to administer, the recreation
10 resource;

11 (B) the suitability for developing, expand-
12 ing, or enhancing the recreation resource; and

13 (C) the adequacy of the current manage-
14 ment of the recreation resource.

15 (b) EXISTING EFFORTS.—To the extent practicable,
16 the Secretary concerned shall use or incorporate existing
17 applicable research and planning decisions and processes
18 in carrying out this section.

19 (c) CONFORMING AMENDMENTS.—Section 200103 of
20 title 54, United States Code, is amended—

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

22 (2) by redesignating subsections (e), (f), (g),
23 (h), and (i) as subsections (d), (e), (f), (g), and (h),
24 respectively.

1 **SEC. 113. FEDERAL INTERAGENCY COUNCIL ON OUTDOOR**
2 **RECREATION.**

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

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

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

9 “(1) COUNCIL.—The term ‘Council’ means the
10 Federal Interagency Council on Outdoor Recreation
11 established under section 200104.

12 “(2) FEDERAL LAND AND WATER MANAGE-
13 MENT AGENCY.—The term ‘Federal land and water
14 management agency’ means the National Park Serv-
15 ice, Bureau of Land Management, United States
16 Fish and Wildlife Service, Bureau of Indian Affairs,
17 Bureau of Reclamation, Forest Service, Corps of
18 Engineers, and the National Oceanic and Atmos-
19 pheric Administration.

20 “(3) FEDERAL RECREATIONAL LANDS AND
21 WATERS.—The term ‘Federal recreational lands and
22 waters’ has the meaning given the term in section
23 802 of the Federal Lands Recreation Enhancement
24 Act (16 U.S.C. 6801) and also includes Federal
25 lands and waters managed by the Bureau of Indian

1 Affairs, Corps of Engineers, or National Oceanic
2 and Atmospheric Administration.”.

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

6 **“§ 200104. Federal interagency council on outdoor**
7 **recreation**

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

11 “(b) COMPOSITION.—

12 “(1) IN GENERAL.—The Council shall be com-
13 posed of representatives of each of the following
14 agencies, to be appointed by the head of the respec-
15 tive agency:

16 “(A) The National Park Service.

17 “(B) The Bureau of Land Management.

18 “(C) The United States Fish and Wildlife
19 Service.

20 “(D) The Bureau of Indian Affairs.

21 “(E) The Bureau of Reclamation.

22 “(F) The Forest Service.

23 “(G) The Army Corps of Engineers.

24 “(H) The National Oceanic and Atmos-
25 pheric Administration.

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

6 “(A) The Council on Environmental Qual-
7 ity.

8 “(B) The Natural Resources Conservation
9 Service.

10 “(C) Rural development programs of the
11 Department of Agriculture.

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

14 “(E) The Environmental Protection Agen-
15 cy.

16 “(F) The Department of Transportation,
17 including the Federal Highway Administration.

18 “(G) The Tennessee Valley Authority.

19 “(H) The Department of Commerce, in-
20 cluding—

21 “(i) the Bureau of Economic Analysis;

22 “(ii) the National Travel and Tourism
23 Office; and

24 “(iii) the Economic Development Ad-
25 ministration.

1 “(I) The Federal Energy Regulatory Com-
2 mission.

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

4 “(K) An applicable agency or office of a
5 local government.

6 “(L) Other organizations or interests, as
7 determined appropriate by the Secretary.

8 “(3) STATE COORDINATION.—In determining
9 additional participants under this subsection, the
10 Secretary shall seek to ensure that States are invited
11 and represented in the Council’s meetings or other
12 activities.

13 “(4) LEADERSHIP.—The leadership of the
14 Council shall rotate every 2 years among the Council
15 members appointed under paragraph (1), or as oth-
16 erwise determined by the Secretary in consultation
17 with the Secretaries of Agriculture, Defense, and
18 Commerce.

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

1 “(c) COORDINATION.—The Council shall meet as fre-
2 quently as appropriate for the purposes of coordinating
3 on issues related to outdoor recreation, including—

4 “(1) recreation programs and management poli-
5 cies across Federal land and water management
6 agencies, including activities associated with the im-
7 plementation of the Federal Lands Recreation En-
8 hancement Act (16 U.S.C. 6801 et seq.), as appro-
9 priate;

10 “(2) the response by Federal land and water
11 management agencies to public health emergencies
12 or other emergencies, including those that result in
13 disruptions to, or closures of, Federal recreational
14 lands and waters;

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

20 “(4) management of emerging technologies on
21 Federal recreational lands and waters;

22 “(5) research activities, including quantifying
23 the economic impacts of recreation;

24 “(6) dissemination to the public of recreation-
25 related information, in a manner that ensures the

1 recreation-related information is easily accessible
2 with modern communication devices;

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

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

7 “(A) to promote outdoor recreation;

8 “(B) to facilitate collaborative management
9 of outdoor recreation; and

10 “(C) to provide additional resources relat-
11 ing to enhancing outdoor recreation opportuni-
12 ties; and

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

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

18 (c) CLERICAL AMENDMENT.—The table of sections
19 for chapter 2001 of title 54, United States Code, is
20 amended by striking the item relating to section 200104
21 and inserting the following:

“200104. Federal Interagency Council on Outdoor Recreation”.

22 **SEC. 114. RECREATION BUDGET CROSSCUT.**

23 Not later than 30 days after the end of each fiscal
24 year, beginning with fiscal year 2025, the Director of the
25 Office of Management and Budget shall submit to Con-

1 gress and make public online a report that describes and
2 itemizes the total amount of funding relating to outdoor
3 recreation that was obligated in the preceding fiscal year
4 in accounts in the Treasury for the Department of the
5 Interior and the Department of Agriculture.

6 **Subtitle B—Public Recreation on**
7 **Federal Recreational Lands and**
8 **Waters**

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

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

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

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

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

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

23 (2) consider the identification, development,
24 and completion of long-distance bike trails in a geo-
25 graphically equitable manner.

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

4 (1) publish and distribute maps, install signage,
5 and issue promotional materials; and

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

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

16 (e) CONFLICT AVOIDANCE WITH OTHER USES.—Be-
17 fore identifying a long-distance bike trail under subsection
18 (a), the Secretary concerned shall ensure the long-distance
19 bike trail—

20 (1) minimizes conflict with—

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

24 (B) multiple-use areas where biking, hik-
25 ing, horseback riding, or use by pack and sad-

1 dle stock are existing uses on the date of the
2 enactment of this title;

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

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

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

11 (f) EMINENT DOMAIN OR CONDEMNATION.—In car-
12 rying out this section, the Secretaries may not use eminent
13 domain or condemnation.

14 (g) DEFINITIONS.—In this section:

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

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

20 (B) primarily makes use of dirt or natural
21 surface trails;

22 (C) may require connections along paved
23 or other improved roads;

24 (D) does not include Federal recreational
25 lands where mountain biking or related activi-

1 ties are not consistent with management re-
2 quirements for those Federal recreational lands;
3 and

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

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

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

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

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

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

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

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

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

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

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

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

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

3 (2) includes components of the National Wilder-
4 ness Preservation System.

5 **SEC. 123. RANGE ACCESS.**

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

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

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

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

24 (B) identifies each National Forest and
25 each Bureau of Land Management district that

1 does not have a target shooting range that
2 meets the requirements described in paragraph
3 (3)(B); and

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

11 (2) IDENTIFICATION OF TARGET SHOOTING
12 RANGE LOCATIONS.—

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

23 (B) REQUIREMENTS.—The Secretaries, in
24 consultation with the entities described in sub-
25 section (d), shall, for purposes of identifying a

1 suitable location for a target shooting range
2 under subparagraph (A)—

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

5 (ii) ensure that the target shooting
6 range would not adversely impact a shoot-
7 ing range operated on non-Federal land;
8 and

9 (iii) consider other nearby recreational
10 uses, including proximity to units of the
11 National Park System, to minimize poten-
12 tial conflict and prioritize visitor safety.

13 (3) ESTABLISHMENT OF NEW TARGET SHOOT-
14 ING RANGES.—

15 (A) IN GENERAL.—Not later than 5 years
16 after the date of the enactment of this title, at
17 1 or more suitable locations identified on each
18 eligible National Forest and Bureau of Land
19 Management district under paragraph (2)(A),
20 the Secretary concerned shall—

21 (i) subject to the availability of appro-
22 priations for such purpose, construct a tar-
23 get shooting range that meets the require-
24 ments described in subparagraph (B) or
25 modify an existing target shooting range to

1 meet the requirements described in sub-
2 paragraph (B); or

3 (ii) enter into an agreement with an
4 entity described in subsection (d)(1), under
5 which the entity shall establish or maintain
6 a target shooting range that meets the re-
7 quirements described in subparagraph (B).

8 (B) REQUIREMENTS.—A target shooting
9 range established under this paragraph—

10 (i)(I) shall be able to accommodate ri-
11 fles and pistols;

12 (II) may include skeet, trap, or sport-
13 ing clay infrastructure; and

14 (III) may accommodate archery;

15 (ii) shall include appropriate public
16 safety designs and features, including—

17 (I) significantly modified land-
18 scapes, including berms, buffer dis-
19 tances, or other public safety designs
20 or features; and

21 (II) a designated firing line; and

22 (iii) may include—

23 (I) shade structures;

24 (II) trash containers;

25 (III) restrooms;

1 (IV) benches; and
2 (V) any other features that the
3 Secretary concerned determines to be
4 necessary.

5 (C) RECREATION AND PUBLIC PURPOSES
6 ACT.—For purposes of subparagraph (A), the
7 Secretary concerned may consider a target
8 shooting range that is located on land trans-
9 ferred or leased pursuant to the Act of June
10 14, 1926 (commonly known as the “Recreation
11 and Public Purposes Act”) (44 Stat. 741, chap-
12 ter 578; 43 U.S.C. 869 et seq.), as a target
13 shooting range that meets the requirements de-
14 scribed in subparagraph (B).

15 (c) RESTRICTIONS.—

16 (1) MANAGEMENT.—The management of a tar-
17 get shooting range shall be subject to such condi-
18 tions as the Secretary concerned determines are nec-
19 essary for the safe, responsible use of—

20 (A) the target shooting range; and

21 (B) the adjacent land and resources.

22 (2) CLOSURES.—Except in emergency situa-
23 tions, the Secretary concerned shall seek to ensure
24 that a target shooting range that meets the require-
25 ments described in subsection (b)(3)(B), or an

1 equivalent shooting range adjacent to a National
2 Forest or Bureau of Land Management district, is
3 available to the public prior to closing Federal rec-
4 reational lands and waters administered by the Chief
5 of the Forest Service or the Director of the Bureau
6 of Land Management to recreational shooting, in ac-
7 cordance with section 4103 of the John D. Dingell,
8 Jr. Conservation, Management, and Recreation Act
9 (16 U.S.C. 7913).

10 (d) COORDINATION.—

11 (1) IN GENERAL.—In carrying out this section,
12 the Secretaries shall coordinate with—

13 (A) State, Tribal, and local governments;

14 (B) nonprofit or nongovernmental organi-
15 zations, including organizations that are sig-
16 natories to the memorandum of understanding
17 entitled “Federal Lands Hunting, Fishing, and
18 Shooting Sports Roundtable Memorandum of
19 Understanding” and signed by the Forest Serv-
20 ice and the Bureau of Land Management on
21 August 17, 2006;

22 (C) shooting clubs;

23 (D) Federal advisory councils relating to
24 hunting and shooting sports; and

1 (E) individuals or entities with authorized
2 leases or permits in an area under consideration
3 for a target shooting range.

4 (2) PARTNERSHIPS.—The Secretaries may—

5 (A) coordinate with an entity described in
6 paragraph (1) to assist with the construction,
7 modification, operation, or maintenance of a
8 target shooting range; and

9 (B) explore opportunities to leverage fund-
10 ing to maximize non-Federal investment in the
11 construction, modification, operation, or main-
12 tenance of a target shooting range.

13 (e) ANNUAL REPORTS.—Not later than 2 years after
14 the date of the enactment of this title and annually there-
15 after through fiscal year 2033, the Secretaries shall sub-
16 mit to the Committee on Energy and Natural Resources
17 of the Senate and the Committee on Natural Resources
18 of the House of Representatives a report describing the
19 progress made with respect to the implementation of this
20 section.

21 (f) SAVINGS CLAUSE.—Nothing in this section affects
22 the authority of the Secretary concerned to administer a
23 target shooting range that is in addition to the target
24 shooting ranges that meet the requirements described in

1 subsection (b)(3)(B) on Federal recreational lands and
2 waters administered by the Secretary concerned.

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

4 (a) DEFINITIONS.—In this section:

5 (1) RECREATION AREA.—The term “Recreation
6 Area” means the recreation area and grounds asso-
7 ciated with the recreation area on the map entitled
8 “Ouachita National Forest Camping Restoration”
9 and dated November 30, 2023, on file with the For-
10 est Service.

11 (2) SECRETARY.—The term “Secretary” means
12 the Secretary of Agriculture.

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

14 (1) not later than 6 months after the date of
15 the enactment of this title, identify 54 areas within
16 the Recreation Area that may be suitable for over-
17 night camping; and

18 (2) not later than 2 years after the date of the
19 enactment of this title—

20 (A) review each area identified under para-
21 graph (1); and

22 (B) from the areas so identified, select and
23 establish at least 27 campsites and related fa-
24 cilities within the Recreation Area for public
25 use.

1 (c) REQUIREMENTS RELATED TO CAMPSITES AND
2 RELATED FACILITIES.—The Secretary shall—

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

6 (2) ensure that each campsite and related facil-
7 ity identified or established under subsection (b) is
8 located outside of the 1 percent annual exceedance
9 probability flood elevation.

10 (d) REOPENING OF CERTAIN SITES.—Not later than
11 30 days after the date of the enactment of this title, the
12 Secretary shall open each campsite within the Recreation
13 Area that—

14 (1) exists on the date of the enactment of this
15 title;

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

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

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

22 (e) DAY USE AREAS.—Not later than 1 year after
23 the date of the enactment of this title, the Secretary shall
24 take such actions as are necessary to rehabilitate and

1 make publicly accessible the areas in the Recreation Area
 2 identified for year-round day use, including the following:

3 (1) Loop A.

4 (2) Loop B.

5 (3) The covered, large-group picnic pavilion in
 6 Loop D.

7 (4) The parking lot in Loop D.

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

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

10 (1) IN GENERAL.—Chapter 1009 of title 54,
 11 United States Code, is amended by striking section
 12 100905 and inserting the following:

13 **“§ 100905. Filming and still photography in System**
 14 **units**

15 **“(a) FILMING AND STILL PHOTOGRAPHY.—**

16 **“(1) IN GENERAL.—**The Secretary shall ensure
 17 that a filming or still photography activity or similar
 18 project in a System unit (referred to in this section
 19 as a ‘filming or still photography activity’) and the
 20 authorizing or permitting of a filming or still pho-
 21 tography activity are carried out consistent with—

22 **“(A) the laws and policies applicable to the**
 23 **Service; and**

24 **“(B) an applicable general management**
 25 **plan.**

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

6 “(A)(i) involves fewer than 6 individuals;

7 and

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

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

13 “(i) the number of individuals partici-
14 pating in the allowed or authorized activity
15 or event; or

16 “(ii) whether any individual receives
17 compensation for any products of the film-
18 ing or still photography activity.

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

21 “(A) IN GENERAL.—The Secretary shall
22 establish a de minimis use authorization for
23 certain filming or still photography activities
24 that meets the requirements described in sub-
25 paragraph (F).

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

4 “(i) may require a de minimis use au-
5 thorization; and

6 “(ii) shall not require a permit.

7 “(C) NO FEE.—The Secretary shall not
8 charge a fee for a de minimis use authorization
9 under this paragraph.

10 “(D) ACCESS.—The Secretary shall enable
11 members of the public to apply for and obtain
12 a de minimis use authorization under this para-
13 graph—

14 “(i) through the website of the Serv-
15 ice; and

16 “(ii) in person at the field office of
17 the applicable System unit.

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

19 “(i) establish a procedure—

20 “(I) to automate the approval of
21 an application submitted through the
22 website of the Service under subpara-
23 graph (D)(i); and

24 “(II) to issue a de minimis use
25 authorization under this paragraph

1 immediately on receipt of an applica-
2 tion that is submitted in person at the
3 field office of the applicable System
4 unit under subparagraph (D)(ii); and
5 “(ii) if an application submitted under
6 subparagraph (D) meets the requirements
7 of this paragraph, immediately on receipt
8 of the application issue a de minimis use
9 authorization for the filming or still pho-
10 tography activity.

11 “(F) REQUIREMENTS.—The Secretary
12 shall only issue a de minimis use authorization
13 under this paragraph if the filming or still pho-
14 tography activity—

15 “(i) involves a group of not fewer than
16 6 individuals and not more than 8 individ-
17 uals;

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

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

21 “(G) CONTENTS.—A de minimis use au-
22 thorization issued under this paragraph shall
23 list the requirements described in subparagraph
24 (F).

25 “(4) REQUIRED PERMITS.—

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

7 “(i) involves more than 8 individuals;

8 or

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

11 “(B) WILDERNESS ACT CLARIFICATION.—

12 No provision of this subsection is intended to or
13 shall be construed to conflict with the provi-
14 sions of the Wilderness Act of 1964 (16 U.S.C.
15 1131 et seq.).

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

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

22 “(i) does not impede or intrude on the
23 experience of other visitors to the applica-
24 ble System unit;

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

3 “(I) a natural or cultural re-
4 source; or

5 “(II) an environmental or scenic
6 value; and

7 “(iii) allows for equitable allocation or
8 use of facilities of the applicable System
9 unit.

10 “(B) The person conducts the filming or
11 still photography activity at a location in which
12 the public is allowed.

13 “(C) The person conducting the filming or
14 still photography activity does not require the
15 exclusive use of a site or area.

16 “(D) The person does not conduct the
17 filming or still photography activity in a local-
18 ized area that receives a very high volume of
19 visitation.

20 “(E) The person conducting the filming or
21 still photography activity does not use a set or
22 staging equipment, subject to the limitation
23 that handheld equipment (such as a tripod,
24 monopod, and handheld lighting equipment)

1 shall not be considered staging equipment for
2 the purposes of this subparagraph.

3 “(F) The person conducting the filming or
4 still photography activity complies with and ad-
5 heres to visitor use policies, practices, and regu-
6 lations applicable to the applicable System unit.

7 “(G) The filming or still photography ac-
8 tivity is not likely to result in additional admin-
9 istrative costs being incurred by the Secretary
10 with respect to the filming or still photography
11 activity, as determined by the Secretary.

12 “(H) The person conducting the filming or
13 still photography activity complies with other
14 applicable Federal, State (as such term is de-
15 fined in section 3 of the EXPLORE Act), and
16 local laws (including regulations), including
17 laws relating to the use of unmanned aerial
18 equipment.

19 “(6) CONTENT CREATION.—Regardless of dis-
20 tribution platform, any video, still photograph, or
21 audio recording for commercial or noncommercial
22 content creation in a System unit shall be considered
23 to be a filming or still photography activity under
24 this subsection.

25 “(7) EFFECT.—

1 “(A) PERMITS REQUESTED THOUGH NOT
2 REQUIRED.—On the request of a person intend-
3 ing to carry out a filming or still photography
4 activity, the Secretary may issue a permit for
5 the filming or still photography activity, even if
6 a permit for the filming or still photography ac-
7 tivity is not required under this section.

8 “(B) NO ADDITIONAL PERMITS, COMMER-
9 CIAL USE AUTHORIZATIONS, OR FEES FOR
10 FILMING AND STILL PHOTOGRAPHY AT AU-
11 THORIZED EVENTS.—A filming or still photog-
12 raphy activity at an activity or event that is al-
13 lowed or authorized, including a wedding, en-
14 gagement party, family reunion, or celebration
15 of a graduate, shall be considered merely inci-
16 dental for the purposes of paragraph (2)(B).

17 “(C) MONETARY COMPENSATION.—The re-
18 ceipt of monetary compensation by the person
19 conducting the filming or still photography ac-
20 tivity shall not affect the permissibility of the
21 filming or still photography activity.

22 “(b) FEES AND RECOVERY COSTS.—

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

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

3 “(B) The reasonable fee shall be based on
4 the following criteria:

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

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

9 “(iii) The quantity and type of film or
10 still photography equipment present in the
11 System unit.

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

14 “(2) RECOVERY OF COSTS.—

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

20 “(i) the costs of the review or issuance
21 of the permit; and

22 “(ii) related administrative and per-
23 sonnel costs.

24 “(B) EFFECT ON FEES COLLECTED.—All
25 costs recovered under subparagraph (A) shall

1 be in addition to the fee described in paragraph
2 (1).

3 “(3) USE OF PROCEEDS.—

4 “(A) FEES.—All fees collected under this
5 section shall—

6 “(i) be available for expenditure by
7 the Secretary, without further appropria-
8 tion; and

9 “(ii) remain available until expended.

10 “(B) COSTS.—All costs recovered under
11 paragraph (2)(A) shall—

12 “(i) be available for expenditure by
13 the Secretary, without further appropria-
14 tion, at the System unit at which the costs
15 are collected; and

16 “(ii) remain available until expended.

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

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

23 “(2) the person would create an unreasonable
24 disruption of the use and enjoyment by the public of
25 the System unit; or

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

3 “(d) PROCESSING OF PERMIT APPLICATIONS.—

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

9 “(2) COORDINATION.—If a permit is required
10 under this section for 2 or more Federal agencies or
11 System units, the Secretary and the head of any
12 other applicable Federal agency, as applicable, shall,
13 to the maximum extent practicable, coordinate per-
14 mit processing procedures, including through the use
15 of identifying a lead agency or lead System unit—

16 “(A) to review the application for the per-
17 mit;

18 “(B) to issue the permit; and

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

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

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

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

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

5 “(a) FILMING AND STILL PHOTOGRAPHY.—

6 “(1) IN GENERAL.—The Secretary concerned
7 shall ensure that a filming or still photography activ-
8 ity or similar project at a Federal land management
9 unit (referred to in this section as a ‘filming or still
10 photography activity’) and the authorizing or per-
11 mitting of a filming or still photography activity are
12 carried out consistent with—

13 “(A) the laws and policies applicable to the
14 Secretary concerned; and

15 “(B) an applicable general management
16 plan.

17 “(2) NO PERMITS REQUIRED.—The Secretary
18 concerned shall not require an authorization or a
19 permit or assess a fee, if a fee for a filming or still
20 photography activity is not otherwise required by
21 law, for a filming or still photography activity that—

22 “(A)(i) involves fewer than 6 individuals;
23 and

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

1 “(B) is merely incidental to, or docu-
2 menting, an activity or event that is allowed or
3 authorized at the Federal land management
4 unit, regardless of—

5 “(i) the number of individuals partici-
6 pating in the allowed or authorized activity
7 or event; or

8 “(ii) whether any individual receives
9 compensation for any products of the film-
10 ing or still photography activity.

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

13 “(A) IN GENERAL.—The Secretary con-
14 cerned shall establish a de minimis use author-
15 ization for certain filming or still photography
16 activities that meets the requirements described
17 in subparagraph (F).

18 “(B) POLICY.—For a filming or still pho-
19 tography activity that meets the requirements
20 described in subparagraph (F), the Secretary
21 concerned—

22 “(i) may require a de minimis use au-
23 thorization; and

24 “(ii) shall not require a permit.

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

4 “(D) ACCESS.—The Secretary concerned
5 shall enable members of the public to apply for
6 and obtain a de minimis use authorization
7 under this paragraph—

8 “(i) through the website of the De-
9 partment of the Interior or the Forest
10 Service, as applicable; and

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

13 “(E) ISSUANCES.—The Secretary con-
14 cerned shall—

15 “(i) establish a procedure—

16 “(I) to automate the approval of
17 an application submitted through the
18 website of the Department of the In-
19 terior or the Forest Service, as appli-
20 cable, under subparagraph (D)(i); and

21 “(II) to issue a de minimis use
22 authorization under this paragraph
23 immediately on receipt of an applica-
24 tion that is submitted in person at the
25 field office for the Federal land man-

1 agement unit under subparagraph
2 (D)(ii); and

3 “(ii) if an application submitted under
4 subparagraph (D) meets the requirements
5 of this paragraph, immediately on receipt
6 of the application issue a de minimis use
7 authorization for the filming or still pho-
8 tography activity.

9 “(F) TERMS.—The Secretary concerned
10 shall only issue a de minimis use authorization
11 under this paragraph if the filming or still pho-
12 tography activity—

13 “(i) involves a group of not fewer than
14 6 individuals and not more than 8 individ-
15 uals;

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

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

19 “(G) CONTENTS.—A de minimis use au-
20 thorization issued under this paragraph shall
21 list the requirements described in subparagraph
22 (F).

23 “(4) REQUIRED PERMITS.—

24 “(A) IN GENERAL.—Except as provided in
25 paragraph (2)(B), the Secretary concerned may

1 require a permit application and, if a permit is
2 issued, assess a reasonable fee, as described in
3 subsection (b)(1), for a filming or still photog-
4 raphy activity that—

5 “(i) involves more than 8 individuals;

6 or

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

9 “(B) WILDERNESS ACT CLARIFICATION.—

10 No provision of this subsection is intended to or
11 shall be construed to conflict with the provi-
12 sions of the Wilderness Act of 1964 (16 U.S.C.
13 1131 et seq.).

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

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

20 “(i) does not impede or intrude on the
21 experience of other visitors to the Federal
22 land management unit;

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

1 “(I) a natural or cultural re-
2 source; or

3 “(II) an environmental or scenic
4 value; and

5 “(iii) allows for equitable allocation or
6 use of facilities of the Federal land man-
7 agement unit.

8 “(B) The person conducts the filming or
9 still photography activity at a location in which
10 the public is allowed.

11 “(C) The person conducting the filming or
12 still photography activity does not require the
13 exclusive use of a site or area.

14 “(D) The person does not conduct the
15 filming or still photography activity in a local-
16 ized area that receives a very high volume of
17 visitation.

18 “(E) The person conducting the filming or
19 still photography activity does not use a set or
20 staging equipment, subject to the limitation
21 that handheld equipment (such as a tripod,
22 monopod, and handheld lighting equipment)
23 shall not be considered staging equipment for
24 the purposes of this subparagraph.

1 “(F) The person conducting the filming or
2 still photography activity complies with and ad-
3 heres to visitor use policies, practices, and regu-
4 lations applicable to the Federal land manage-
5 ment unit.

6 “(G) The filming or still photography ac-
7 tivity is not likely to result in additional admin-
8 istrative costs being incurred by the Secretary
9 concerned with respect to the filming or still
10 photography activity, as determined by the Sec-
11 retary concerned.

12 “(H) The person conducting the filming or
13 still photography activity complies with other
14 applicable Federal, State (as such term is de-
15 fined in section 3 of the EXPLORE Act), and
16 local laws (including regulations), including
17 laws relating to the use of unmanned aerial
18 equipment.

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

25 “(7) EFFECT.—

1 “(A) PERMITS REQUESTED THOUGH NOT
2 REQUIRED.—On the request of a person intend-
3 ing to carry out a filming or still photography
4 activity, the Secretary concerned may issue a
5 permit for the filming or still photography ac-
6 tivity, even if a permit for the filming or still
7 photography activity is not required under this
8 section.

9 “(B) NO ADDITIONAL PERMITS, COMMERCIAL USE AUTHORIZATIONS, OR FEES FOR
10 FILMING AND STILL PHOTOGRAPHY AT AUTHORIZED EVENTS.—A filming or still photog-
11 raphy activity at an activity or event that is al-
12 lowed or authorized, including a wedding, en-
13 gagement party, family reunion, or celebration
14 of a graduate, shall be considered merely inci-
15 dental for the purposes of paragraph (2)(B).

16 “(C) MONETARY COMPENSATION.—The re-
17 ceipt of monetary compensation by the person
18 engaged in the filming or still photography ac-
19 tivity shall not affect the permissibility of the
20 filming or still photography activity.

21 “(b) FEES AND RECOVERY COSTS.—

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

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

6 “(B) The reasonable fee shall be based on
7 the following criteria:

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

10 “(ii) The size of the film or still pho-
11 tography crew present at the Federal land
12 management unit.

13 “(iii) The quantity and type of film or
14 still photography equipment present at the
15 Federal land management unit.

16 “(iv) Any other factors that the Sec-
17 retary concerned determines to be nec-
18 essary.

19 “(2) RECOVERY OF COSTS.—

20 “(A) IN GENERAL.—The Secretary con-
21 cerned shall collect from the applicant for the
22 applicable permit any costs incurred by the Sec-
23 retary concerned related to a filming or still
24 photography activity subject to a permit under
25 subsection (a)(4), including—

1 “(i) the costs of the review or issuance
2 of the permit; and

3 “(ii) related administrative and per-
4 sonnel costs.

5 “(B) EFFECT ON FEES COLLECTED.—All
6 costs recovered under subparagraph (A) shall
7 be in addition to the fee described in paragraph
8 (1).

9 “(3) USE OF PROCEEDS.—

10 “(A) FEES.—All fees collected under this
11 section shall—

12 “(i) be available for expenditure by
13 the Secretary concerned, without further
14 appropriation; and

15 “(ii) remain available until expended.

16 “(B) COSTS.—All costs recovered under
17 paragraph (2)(A) shall—

18 “(i) be available for expenditure by
19 the Secretary concerned, without further
20 appropriation, at the Federal land manage-
21 ment unit at which the costs are collected;
22 and

23 “(ii) remain available until expended.

24 “(c) PROTECTION OF RESOURCES.—The Secretary
25 concerned shall not allow a person to undertake a filming

1 or still photography activity if the Secretary concerned de-
2 termines that—

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

6 “(2) the person would create an unreasonable
7 disruption of the use and enjoyment by the public of
8 the Federal land management unit; or

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

11 “(d) PROCESSING OF PERMIT APPLICATIONS.—

12 “(1) IN GENERAL.—The Secretary concerned
13 shall establish a process to ensure that the Secretary
14 concerned responds in a timely manner to an appli-
15 cation for a permit for a filming or still photography
16 activity required under subsection (a)(4).

17 “(2) COORDINATION.—If a permit is required
18 under this section for 2 or more Federal agencies or
19 Federal land management units, the Secretary con-
20 cerned and the head of any other applicable Federal
21 agency, as applicable, shall, to the maximum extent
22 practicable, coordinate permit processing procedures,
23 including through the use of identifying a lead agen-
24 cy or lead Federal land management unit—

1 “(A) to review the application for the per-
2 mit;

3 “(B) to issue the permit; and

4 “(C) to collect any required fees.

5 “(e) DEFINITIONS.—In this section:

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

8 “(A) Federal land (other than National
9 Park System land) under the jurisdiction of the
10 Secretary of the Interior; and

11 “(B) National Forest System land.

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

14 “(A) the Secretary of the Interior, with re-
15 spect to land described in paragraph (1)(A);
16 and

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

19 **SEC. 126. CAPE AND ANTLER PRESERVATION ENHANCE-**
20 **MENT.**

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

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

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

7 (1) for each district administered by the Direc-
8 tor of the Bureau of Land Management, a ground
9 transportation linear feature map authorized for
10 public use or administrative use; and

11 (2) for each unit of the National Forest Sys-
12 tem, a motor vehicle use map, in accordance with ex-
13 isting law.

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

24 (c) OUT-OF-DATE MAPS.—Not later than 20 years
25 after the date on which the Secretary concerned adopted
26 or reviewed, through public notice and comment, a map

1 described in subsection (a) or (b), the Secretary concerned
2 shall seek to review, through public notice and comment,
3 and update, as necessary, the applicable map.

4 (d) **MOTORIZED AND NONMOTORIZED ACCESS.**—The
5 Secretaries shall seek to create additional opportunities,
6 as appropriate, and in accordance with existing law, for
7 motorized and nonmotorized access and opportunities on
8 Federal recreational lands and waters administered by the
9 Chief of the Forest Service or the Director of the Bureau
10 of Land Management.

11 (e) **SAVINGS CLAUSE.**—Nothing in this section pro-
12 hibits a lawful use, including authorized motorized or non-
13 motorized uses, on Federal recreational lands and waters
14 administered by the Chief of the Forest Service or the Di-
15 rector of the Bureau of Land Management, if the Sec-
16 retary concerned fails to meet a timeline established under
17 this section.

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

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

20 (1) **AQUATIC NUISANCE SPECIES TASK**
21 **FORCE.**—The term “Aquatic Nuisance Species Task
22 Force” means the Aquatic Nuisance Species Task
23 Force established by section 1201(a) of the Non-
24 indigenous Aquatic Nuisance Prevention and Control
25 Act of 1990 (16 U.S.C. 4721(a)).

1 (2) DECONTAMINATION.—The term “decon-
2 tamination” means actions to remove aquatic nui-
3 sance species to prevent introduction or spread into
4 new aquatic ecosystems.

5 (3) 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, the U.S. Fish and Wildlife Serv-
9 ice, the Bureau of Reclamation, the Forest Service,
10 or the National Park Service, as applicable.

11 (4) INDIAN TRIBE.—The term “Indian Tribe”
12 has the meaning given such term in section 4 of the
13 Indian Self-Determination and Education Assistance
14 Act (25 U.S.C. 5304).

15 (5) INSPECTION.—The term “inspection”
16 means actions to find aquatic nuisance species to
17 prevent introduction or spread into new aquatic eco-
18 systems.

19 (6) PARTNER.—The term “partner” means—
20 (A) a Reclamation State;
21 (B) an Indian Tribe in a Reclamation
22 State;
23 (C) an applicable nonprofit organization in
24 a Reclamation State;

1 (D) a unit of local government in a Rec-
2 lamation State; or

3 (E) a private entity.

4 (7) RECLAMATION STATE.—The term “Rec-
5 lamation State” includes any of the following States:

6 (A) Alaska.

7 (B) Arizona.

8 (C) California.

9 (D) Colorado.

10 (E) Idaho.

11 (F) Kansas.

12 (G) Montana.

13 (H) Nebraska.

14 (I) Nevada.

15 (J) New Mexico.

16 (K) North Dakota.

17 (L) Oklahoma.

18 (M) Oregon.

19 (N) South Dakota.

20 (O) Texas.

21 (P) Utah.

22 (Q) Washington.

23 (R) Wyoming.

24 (8) 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 (9) SECRETARIES.—The term “Secretaries”
5 means each of the following:

6 (A) The Secretary, acting through the Di-
7 rector of the Bureau of Land Management, the
8 Commissioner of Reclamation, and the Director
9 of the National Park Service.

10 (B) The Secretary of Agriculture, acting
11 through the Chief of the Forest Service.

12 (10) VESSEL.—The term “vessel” means any
13 watercraft or other contrivance used or designed for
14 transportation or navigation on, under, or imme-
15 diately above, water.

16 (b) AUTHORITY OF BUREAU OF LAND MANAGE-
17 MENT, BUREAU OF RECLAMATION, NATIONAL PARK
18 SERVICE, AND FOREST SERVICE WITH RESPECT TO CER-
19 TAIN AQUATIC RESOURCE ACTIVITIES ON FEDERAL LAND
20 AND WATERS.—

21 (1) IN GENERAL.—The head of each Federal
22 land management agency is authorized to carry out
23 inspections and decontamination of vessels entering
24 or leaving Federal land and waters under the juris-

1 diction of the respective Federal land management
2 agency.

3 (2) REQUIREMENTS.—The Secretaries shall—

4 (A) in carrying out an inspection and de-
5 contamination under paragraph (1), coordinate
6 with 1 or more partners;

7 (B) consult with the Aquatic Nuisance
8 Species Task Force to identify potential im-
9 provements and efficiencies in the detection and
10 management of aquatic nuisance species on
11 Federal land and water; and

12 (C) to the maximum extent practicable, in-
13 spect and decontaminate vessels in a manner
14 that minimizes disruptions to public access for
15 boating and recreation in noncontaminated ves-
16 sels.

17 (3) PARTNERSHIPS.—The Secretaries may
18 enter into a partnership to lead, collaborate with, or
19 provide technical assistance to a partner—

20 (A) to carry out an inspection or decon-
21 tamination of vessels; or

22 (B) to establish an inspection and decon-
23 tamination station for vessels.

24 (4) LIMITATION.—The Secretaries shall not
25 prohibit access to vessels due solely to the absence

1 of a Federal, State, or partner's inspection program
2 or station.

3 (5) EXCEPTIONS.—

4 (A) AUTHORITY TO REGULATE VESSELS.—

5 Nothing in this section shall be construed to
6 limit the authority of the Commandant of the
7 Coast Guard to regulate vessels provided under
8 any other provision of law.

9 (B) APPLICABILITY.—Authorities granted
10 in this subsection shall not apply at locations
11 where inspection or decontamination activities
12 would duplicate efforts by the Coast Guard.

13 (6) DATA SHARING.—The Secretaries shall
14 make available to a Reclamation State any relevant
15 data gathered related to inspections or decontamina-
16 tions carried out under this subsection in such State.

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 financial assistance to
25 partners to conduct inspections and decontamination

1 of vessels operating in Reclamation projects, includ-
2 ing to purchase, establish, operate, or maintain a
3 vessel inspection 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.—The Secretaries—

23 (1) shall collaborate with State and local gov-
24 ernments, Indian Tribes, housing authorities, appli-
25 cable trade associations, nonprofit organizations, pri-

1 vate entities, and other relevant stakeholders to
2 identify needs and economic impacts in gateway
3 communities, including—

4 (A) housing shortages;

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

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

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

12 (i) existing developed locations that
13 are underutilized on nearby Federal rec-
14 reational lands and waters that are suit-
15 able for developing, expanding, or enhanc-
16 ing recreation use, as identified by the Sec-
17 retaries; or

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

23 (2) may address a need identified under para-
24 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 an agreement, right-of-
5 way, or easement, in accordance with applicable
6 laws; or

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

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

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

24 (2) ASSISTANCE.—The Secretary of Agriculture
25 may provide assistance under paragraph (1) through

1 the use of existing, or the establishment of new, en-
2 trepreneur and vocational training programs, tech-
3 nical assistance programs, low-interest business loan
4 programs, and loan guarantee programs.

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

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

12 (a) CONSISTENT VISITATION DATA.—

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

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

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

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

1 (A) establish multiple categories of dif-
2 ferent recreation activities that are reported
3 consistently across agencies; and

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

8 (b) REAL-TIME DATA PILOT PROGRAM.—

9 (1) IN GENERAL.—Not later than 5 years after
10 the date of the enactment of this title, using existing
11 funds available to the Secretaries, the Secretaries
12 shall carry out a pilot program, to be known as the
13 “Real-Time Data Pilot Program” (referred to in this
14 section as the “Pilot Program”), to make available
15 to the public, for each unit of Federal recreational
16 lands and waters selected for participation in the
17 Pilot Program under paragraph (2)—

18 (A) real-time or predictive data on visita-
19 tion (including data and resources publicly
20 available from existing nongovernmental plat-
21 forms) at—

22 (i) the unit of Federal recreational
23 lands and waters;

1 (ii) to the extent practicable, areas
2 within the unit of Federal recreational
3 lands and waters; and

4 (iii) to the extent practicable, recre-
5 ation sites managed by any other Federal
6 agency, a State agency, or a local agency
7 that are located near the unit of Federal
8 recreational lands and waters; and

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

16 (2) LOCATIONS.—

17 (A) INITIAL NUMBER OF UNITS.—On es-
18 tablishment of the Pilot Program, the Secre-
19 taries shall select for participation in the Pilot
20 Program—

21 (i) 10 units of Federal recreational
22 lands and waters managed by the Sec-
23 retary;

24 (ii) 5 units of Federal recreational
25 lands and waters managed by the Sec-

1 retary of Agriculture (acting through the
2 Chief of the Forest Service);

3 (iii) 1 unit of Federal recreational
4 lands and waters managed by the Sec-
5 retary of Commerce (acting through the
6 Administrator of the National Oceanic and
7 Atmospheric Administration); and

8 (iv) 1 unit of Federal recreational
9 lands and waters managed by the Assist-
10 ant Secretary of Army for Civil Works.

11 (B) REPORT.—Not later than 6 years after
12 the date of the enactment of this title, the Sec-
13 retaries shall submit a report to Congress re-
14 garding the implementation of the pilot pro-
15 gram, including policy recommendations to ex-
16 pand the pilot program to additional units man-
17 aged by the Secretaries.

18 (C) FEEDBACK; SUPPORT OF GATEWAY
19 COMMUNITIES.—The Secretaries shall—

20 (i) solicit feedback regarding partici-
21 pation in the Pilot Program from commu-
22 nities adjacent to units of Federal rec-
23 reational lands and waters and the public;
24 and

1 (ii) in carrying out subparagraphs (A)
2 and (B), select a unit of Federal recreation
3 lands and waters to participate in the Pilot
4 Program only if the community adjacent to
5 the unit of Federal recreational lands and
6 waters is supportive of the participation of
7 the unit of Federal recreational lands and
8 waters in the Pilot Program.

9 (3) DISSEMINATION OF INFORMATION.—The
10 Secretaries may disseminate the information de-
11 scribed in paragraph (1) directly or through an enti-
12 ty or organization referred to in subsection (c).

13 (4) INCLUSION OF CURRENT ASSESSMENTS.—
14 In carrying out the Pilot Program, the Secretaries
15 may, to the extent practicable, rely on assessments
16 completed or data gathered prior to the date of en-
17 actment of this title.

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

21 (1) coordinate and partner with—

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

24 (B) State and local outdoor recreation and
25 tourism offices;

- 1 (C) local governments;
- 2 (D) Indian Tribes;
- 3 (E) trade associations;
- 4 (F) local outdoor recreation marketing or-
- 5 ganizations;
- 6 (G) permitted facilitated recreation pro-
- 7 viders; or
- 8 (H) other relevant stakeholders; and
- 9 (2) coordinate or enter into agreements, as ap-
- 10 propriate, with private sector and nonprofit part-
- 11 ners, including—
- 12 (A) technology companies;
- 13 (B) geospatial data companies;
- 14 (C) experts in data science, analytics, and
- 15 operations research; or
- 16 (D) data companies.
- 17 (d) EXISTING PROGRAMS.—The Secretaries may use
- 18 existing programs or products of the Secretaries to carry
- 19 out this section.
- 20 (e) PRIVACY CLAUSES.—Nothing in this section pro-
- 21 vides authority to the Secretaries—
- 22 (1) to monitor or record the movements of a
- 23 visitor to a unit of Federal recreational lands and
- 24 waters;

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

4 (3) to collect—

5 (A) information from owners of land adja-
6 cent to a unit of Federal recreational lands and
7 waters; or

8 (B) information on non-Federal land.

9 (f) REPORTS.—Not later than 1 year after the date
10 of the enactment of this title, and annually thereafter, the
11 Secretaries shall publish on a website of the Secretaries
12 a report that describes the annual visitation of each unit
13 of Federal recreational lands and waters, including, to the
14 maximum extent practicable, visitation categorized by rec-
15 reational activity.

16 (g) DEFINITIONS.—In this section—

17 (1) FEDERAL RECREATIONAL LANDS AND
18 WATERS.—The term “Federal recreational lands and
19 waters”—

20 (A) has the meaning given the term in sec-
21 tion 802 of the Federal Lands Recreation En-
22 hancement Act (16 U.S.C. 6801); and

23 (B) includes Federal lands and waters
24 managed by the National Oceanic and Atmos-

1 pheric Administration and the U.S. Army Corps
2 of Engineers.

3 (2) SECRETARIES.—The term “Secretaries”
4 means—

5 (A) the Secretary, with respect to lands
6 under the jurisdiction of the Secretary;

7 (B) the Secretary of Agriculture, acting
8 through the Chief of the Forest Service, with
9 respect to lands under the jurisdiction of the
10 Forest Service;

11 (C) the Secretary of Commerce, acting
12 through the Administrator of the National Oce-
13 anic and Atmospheric Administration, with re-
14 spect to Federal waters under the jurisdiction
15 of the National Oceanic and Atmospheric Ad-
16 ministration; and

17 (D) the Assistant Secretary of Army for
18 Civil Works, with respect to lakes and res-
19 ervoirs under the jurisdiction of the U.S. Army
20 Corps of Engineers.

21 **SEC. 133. MONITORING FOR IMPROVED RECREATION DECI-**
22 **SION MAKING.**

23 (a) IN GENERAL.—The Secretaries shall seek to cap-
24 ture comprehensive recreation use data to better under-
25 stand and inform decision making by the Secretaries.

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

10 (c) SECRETARIES DEFINED.—In this section, the
11 term “Secretaries” means—

12 (1) the Secretary, with respect to lands under
13 the jurisdiction of the Secretary;

14 (2) the Secretary of Agriculture, acting through
15 the Chief of the Forest Service, with respect to lands
16 under the jurisdiction of the Forest Service;

17 (3) the Secretary of Commerce, acting through
18 the Administrator of the National Oceanic and At-
19 mospheric Administration, with respect to Federal
20 waters under the jurisdiction of the National Oee-
21 anic and Atmospheric Administration; and

22 (4) the Assistant Secretary of Army for Civil
23 Works, with respect to lakes and reservoirs under
24 the jurisdiction of the U.S. Army Corps of Engi-
25 neers.

1 **Subtitle** **D—Broadband**
2 **Connectivity on Federal Rec-**
3 **reational Lands and Waters**

4 **SEC. 141. CONNECT OUR PARKS.**

5 (a) DEFINITIONS.—In this section:

6 (1) APPROPRIATE COMMITTEES OF CON-
7 GRESS.—The term “appropriate committees of Con-
8 gress” means—

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

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

13 (C) the Committee on Natural Resources
14 of the House of Representatives; and

15 (D) the Committee on Energy and Com-
16 merce of the House of Representatives.

17 (2) BROADBAND INTERNET ACCESS SERVICE.—
18 The term “broadband internet access service” has
19 the meaning given the term in section 8.1(b) of title
20 47, Code of Federal Regulations (or a successor reg-
21 ulation).

22 (3) CELLULAR SERVICE.—The term “cellular
23 service” has the meaning given the term in section
24 22.99 of title 47, Code of Federal Regulations (or a
25 successor regulation).

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

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

6 (b) ASSESSMENT.—

7 (1) IN GENERAL.—Not later than 1 year after
8 the date of the enactment of this title, the Secretary
9 shall complete an assessment of National Parks to
10 identify—

11 (A) locations in National Parks in which
12 there is the greatest need for broadband inter-
13 net access service, based on the considerations
14 described in paragraph (2)(A); and

15 (B) areas in National Parks in which there
16 is the greatest need for cellular service, based
17 on the considerations described in paragraph
18 (2)(B).

19 (2) CONSIDERATIONS.—

20 (A) BROADBAND INTERNET ACCESS SERV-
21 ICE.—For purposes of identifying locations in
22 National Parks under paragraph (1)(A), the
23 Secretary shall consider, with respect to each
24 National Park, the availability of broadband
25 internet access service in—

- 1 (i) housing;
- 2 (ii) administrative facilities and re-
- 3 lated structures;
- 4 (iii) lodging;
- 5 (iv) developed campgrounds; and
- 6 (v) any other location within the Na-
- 7 tional Park in which broadband internet
- 8 access service is determined to be nec-
- 9 essary by the superintendent of the Na-
- 10 tional Park.

11 (B) CELLULAR SERVICE.—For purposes of

12 identifying areas in National Parks under para-

13 graph (1)(B), the Secretary shall consider, with

14 respect to each National Park, the availability

15 of cellular service in any developed area within

16 the National Park that would increase—

- 17 (i) the access of the public to emer-
- 18 gency services and traveler information
- 19 technologies; or
- 20 (ii) the communications capabilities of
- 21 National Park Service employees.

22 (3) REPORT.—On completion of the assessment

23 under paragraph (1), the Secretary shall submit to

24 the appropriate committees of Congress, and make

25 available on the website of the Department of the

1 Interior, a report describing the results of the as-
2 sessment.

3 (c) PLAN.—

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

9 (A) to install broadband internet access
10 service infrastructure in certain locations in Na-
11 tional Parks; and

12 (B) to install cellular service equipment
13 and infrastructure in certain areas of National
14 Parks.

15 (2) CONSULTATION.—In developing the plan
16 under paragraph (1), the Secretary shall consult
17 with—

18 (A) affected Indian Tribes; and

19 (B) local stakeholders that the super-
20 intendent of the applicable National Park deter-
21 mines to be appropriate.

22 (3) REQUIREMENTS.—The plan developed
23 under paragraph (1) shall—

24 (A) provide for avoiding or minimizing im-
25 pacts to—

- 1 (i) National Park viewsheds;
2 (ii) cultural and natural resources;
3 (iii) the visitor experience;
4 (iv) historic properties and the
5 viewsheds of historic properties; and
6 (v) other resources or values of the
7 National Park.

8 (B) provide for infrastructure providing
9 broadband internet access service or cellular
10 service to be located in—

11 (i) previously disturbed or developed
12 areas; or

13 (ii) areas zoned for uses that would
14 support the infrastructure;

15 (C) provide for the use of public-private
16 partnerships—

17 (i) to install broadband internet ac-
18 cess service or cellular service equipment;
19 and

20 (ii) to provide broadband internet ac-
21 cess service or cellular service;

22 (D) be technology neutral; and

23 (E) in the case of broadband internet ac-
24 cess service, provide for broadband internet ac-
25 cess service of at least—

1 (i) a 100–Mbps downstream trans-
2 mission capacity; and

3 (ii) a 20–Mbps upstream transmission
4 capacity.

5 (4) LIMITATION.—Notwithstanding paragraph
6 (1), a plan developed under that paragraph shall not
7 be required to address broadband internet access
8 service or cellular service in any National Park with
9 respect to which the superintendent of the National
10 Park determines that there is adequate access to
11 broadband internet access service or cellular service,
12 as applicable.

13 **SEC. 142. BROADBAND INTERNET CONNECTIVITY AT DE-**
14 **VELOPED RECREATION SITES.**

15 (a) IN GENERAL.—The Secretary and the Chief of
16 the Forest Service shall enter into an agreement with the
17 Secretary of Commerce to foster the installation or con-
18 struction of broadband internet infrastructure at devel-
19 oped recreation sites on Federal recreational lands and
20 waters to establish broadband internet connectivity—

21 (1) subject to the availability of appropriations;

22 and

23 (2) in accordance with applicable law.

24 (b) IDENTIFICATION.—Not later than 3 years after
25 the date of the enactment of this title, and annually there-

1 after through fiscal year 2031, the Secretary and the
2 Chief of the Forest Service, in coordination with States
3 and local communities, shall make publicly available—

4 (1) a list of the highest priority developed recre-
5 ation sites, as determined under subsection (c), on
6 Federal recreational lands and waters that lack
7 broadband internet;

8 (2) to the extent practicable, an estimate of—

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

11 (B) the annual cost to operate that infra-
12 structure; and

13 (3) a list of potential—

14 (A) barriers to operating the infrastructure
15 described in paragraph (2)(A); and

16 (B) methods to recover the costs of that
17 operation.

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

22 (1) at which broadband internet infrastructure
23 has not been constructed due to—

24 (A) geographic challenges; or

1 (B) the location having an insufficient
2 number of nearby permanent residents, despite
3 high seasonal or daily visitation levels; or

4 (2) that are located in an economically dis-
5 tressed county that could benefit significantly from
6 developing the outdoor recreation economy of the
7 county.

8 **SEC. 143. PUBLIC LANDS TELECOMMUNICATIONS COOPER-**
9 **ATIVE AGREEMENTS.**

10 (a) COOPERATIVE AGREEMENTS FOR THE DEPART-
11 MENT OF THE INTERIOR.—The Secretary may enter into
12 cooperative agreements to carry out activities related to
13 communications sites on lands managed by Federal land
14 management agencies, including—

15 (1) administering communications use author-
16 izations;

17 (2) preparing needs assessments or other pro-
18 grammatic analyses necessary to establish commu-
19 nications sites and authorize communications uses
20 on or adjacent to Federal recreational lands and
21 waters managed by a Federal land management
22 agency;

23 (3) developing management plans for commu-
24 nications sites on or adjacent to Federal recreational
25 lands and waters managed by a Federal land man-

1 agement agency on a competitively neutral, tech-
2 nology neutral, nondiscriminatory basis;

3 (4) training for management of communications
4 sites on or adjacent to Federal recreational lands
5 and waters managed by a Federal land management
6 agency;

7 (5) obtaining, improving access to, or estab-
8 lishing communications sites on or adjacent to Fed-
9 eral recreational lands and waters managed by a
10 Federal land management agency; and

11 (6) any combination of purposes described in
12 subparagraphs (1) through (5).

13 (b) CLARIFICATION OF COOPERATIVE AGREEMENT
14 AUTHORITY FOR THE FOREST SERVICE.—Section 8705(f)
15 of the Agriculture Improvement Act of 2018 (43 U.S.C.
16 1761a(f)) is amended by adding at the end the following:

17 “(6) COOPERATIVE AGREEMENT AUTHORITY.—
18 Subject to the availability of appropriations made in
19 advance for such purposes, the Secretary may enter
20 into cooperative agreements to carry out the activi-
21 ties described in subparagraphs (A) through (D) of
22 paragraph (4).”.

23 (c) ASSESSMENT OF RENTAL FEE RETENTION AU-
24 THORITY.—Not later than 1 year after the date of the en-
25 actment of this title, the Secretary shall conduct a com-

1 prehensive assessment to evaluate the potential benefits
2 of rental fee retention whereby any fee collected for the
3 occupancy and use of Federal lands and waters authorized
4 by a communications use authorization would be deposited
5 into a special account and used solely for activities related
6 to communications sites on lands and waters managed by
7 the Secretary.

8 **Subtitle E—Public-Private Parks**
9 **Partnerships**

10 **SEC. 151. AUTHORIZATION FOR LEASE OF FOREST SERVICE**

11 **ADMINISTRATIVE SITES.**

12 Section 8623 of the Agriculture Improvement Act of
13 2018 (16 U.S.C. 580d note; Public Law 115–334) is
14 amended—

15 (1) in subsection (a)(2)(D), by striking “dwell-
16 ing;” and inserting “dwelling or multiunit dwell-
17 ing;”;

18 (2) in subsection (c), by striking “Secretary” in
19 the middle of the sentence and inserting “Chief of
20 the Forest Service, or their designee”;

21 (3) in subsection (e)—

22 (A) in paragraph (3)(B)(ii)—

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

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

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

5 (iv) by adding at the end the fol-
6 lowing:

7 “(IV) services occurring off the
8 administrative site that—

9 “(aa) occur at another ad-
10 ministrative site in the same unit
11 in which the administrative site
12 is located or a different unit of
13 the National Forest System;

14 “(bb) benefit the National
15 Forest System; and

16 “(cc) support activities oc-
17 ccurring within the unit of the
18 National Forest System in which
19 the administrative site is located;
20 or”; and

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

22 “(6) LEASE TERM.—

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

1 “(B) REAUTHORIZATION OF USE.—A lease
2 of an administrative site under this section shall
3 include a provision for reauthorization of the
4 use if the—

5 “(i) use of the administrative site, at
6 the time of reauthorization, is still being
7 used for the purposes authorized;

8 “(ii) use to be authorized under the
9 new lease is consistent with the applicable
10 land management plan; and

11 “(iii) lessee is in compliance with all
12 the terms of the existing lease.”

13 “(C) SAVINGS.—A reauthorization of use
14 under subparagraph (B) may include new terms
15 in the use, as determined by the Chief of the
16 Forest Service, or their designee.”;

17 (4) in subsection (g), by—

18 (A) striking “to a leaseholder” after “pay-
19 ments”; and

20 (B) inserting “or constructed” after “im-
21 proved”; and

22 (5) in subsection (i), by striking “2023” each
23 place it appears and inserting “2028”.

1 **SEC. 152. PARTNERSHIP AGREEMENTS CREATING TAN-**
2 **GIBLE SAVINGS.**

3 Section 101703 of title 54, United States Code, is
4 amended to read as follows:

5 **“§ 101703. Cooperative management agreements**

6 “(a) IN GENERAL.—To facilitate the administration
7 of the System, the Secretary, under such terms and condi-
8 tions as the Secretary considers advisable, may enter into
9 an agreement with an eligible entity managing lands and
10 waters located near a System unit to provide for coopera-
11 tive management of either a System unit or the lands and
12 waters located near a System unit to promote more effec-
13 tive and efficient management of a System unit. The Sec-
14 retary may not transfer administration responsibilities for
15 any System unit under this paragraph.

16 “(b) PROVISION OF GOODS AND SERVICES.—

17 “(1) IN GENERAL.—Under a cooperative man-
18 agement agreement, the Secretary may acquire by
19 purchase, donation, or exchange from and provide to
20 an eligible entity on a reimbursable basis goods and
21 services to be used by the Secretary or the eligible
22 entity in the cooperative management of land and
23 waters.

24 “(2) RETENTION OF FUNDS.—Reimbursements
25 received under this section may be credited to the

1 appropriation current at the time reimbursements
2 are received.

3 “(c) CO-LOCATION.—Under the cooperative manage-
4 ment agreement, the Secretary and an eligible entity may
5 co-locate in offices and facilities owned or leased by either
6 party.

7 “(d) EMPLOYEES.—

8 “(1) ASSIGNMENT OF EMPLOYEE.—The Sec-
9 retary may arrange an assignment under section
10 3372 of title 5 of a Federal employee or an employee
11 of an eligible entity as mutually agreed upon, for
12 work on any Federal, State, local, or Tribal land.

13 “(2) EXTENSION OF ASSIGNMENT.—The as-
14 signment provided in paragraph (1) may be extended
15 for any period of time determined by the Secretary
16 and the eligible entity to be mutually beneficial.

17 “(e) DEFINITIONS.—In this section—

18 “(1) ELIGIBLE ENTITY.—The term ‘eligible en-
19 tity’ means a State or local entity or any political
20 subdivision thereof, or an Indian Tribe or Tribal or-
21 ganization.

22 “(2) INDIAN TRIBE.—The term ‘Indian Tribe’
23 has the meaning given the term in section 4(e) of
24 the Indian Self-Determination and Education Assist-
25 ance Act (25 U.S.C. 5304(e)).

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

4 “(4) TRIBAL ORGANIZATION.—The term ‘Tribal
5 organization’ has the meaning given the term in sec-
6 tion 4(l) of the Indian Self-Determination and Edu-
7 cation Assistance Act (25 U.S.C. 5304(1)).”.

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

13 (a) DEFINITIONS.—In this section:

14 (1) COVERED ACTIVITY.—The term “covered
15 activity” means—

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

21 (B) any activity necessary to operate or
22 maintain a covered recreation facility.

23 (2) COVERED RECREATION FACILITY.—The
24 term “covered recreation facility” means a federally

1 owned campground, resort, cabin, or visitor center
2 that is—

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

5 (B) located on Federal recreational lands
6 and waters administered by—

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

8 (ii) the Director of the Bureau of
9 Land Management.

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

12 (A) a unit of State, Tribal, or local govern-
13 ment;

14 (B) a nonprofit organization; and

15 (C) a private entity.

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

1 (c) MINIMUM NUMBER OF AGREEMENTS OR LAND
2 USE AUTHORIZATIONS.—Not later than 3 years after the
3 date of the enactment of this title, the Secretary concerned
4 shall enter into at least 1 agreement or land use authoriza-
5 tion 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 to be made by the eligible entity for each

1 year of the agreement or land use authoriza-
2 tion; and

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

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

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

12 (B) require that, not later than 3 years
13 after the date on which the Secretary concerned
14 enters into the agreement or issues or amends
15 the land use authorization, the applicable eligi-
16 ble entity shall expend, place in an escrow ac-
17 count for the eligible entity to expend, or de-
18 posit in a special account in the Treasury for
19 expenditure by the Secretary concerned, without
20 further appropriation, for covered activities re-
21 lating to the applicable covered recreation facil-
22 ity, an amount or specified percentage, as de-
23 termined by the Secretary concerned, which
24 shall be equal to not less than \$500,000, of the

1 anticipated receipts for the term of the agree-
2 ment or land use authorization;

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

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

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

20 (i) consistent with—

21 (I) the land use fee for a special
22 use permit authorized under section 7
23 of the Act of April 24, 1950 (com-
24 monly known as the “Granger-Thye

1 Act'') (64 Stat. 84, chapter 97; 16
2 U.S.C. 580d); or

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

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

19 (F) include provisions stating that—

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

1 (ii) all structures and other improve-
2 ments constructed, reconstructed, or non-
3 routinely maintained by that entity under
4 the agreement or land use authorization on
5 land owned by the United States shall be
6 the property of the United States; and

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

13 (G) be subject to any other terms and con-
14 ditions determined to be necessary or appro-
15 priate by the Secretary concerned.

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

1 **SEC. 154. PARKING AND RESTROOM OPPORTUNITIES FOR**
2 **FEDERAL RECREATIONAL LANDS AND**
3 **WATERS.**

4 (a) PARKING OPPORTUNITIES.—

5 (1) IN GENERAL.—The Secretaries shall seek to
6 increase and improve parking opportunities for per-
7 sons recreating on Federal recreational lands and
8 waters—

9 (A) in accordance with existing laws and
10 applicable land use plans;

11 (B) in a manner that minimizes any in-
12 crease in maintenance obligations on Federal
13 recreational lands and waters; and

14 (C) in a manner that does not impact wild-
15 life habitat that is critical to the mission of a
16 Federal agency responsible for managing Fed-
17 eral recreational lands and waters.

18 (2) AUTHORITY.—To supplement the quantity
19 of parking spaces available at units of Federal rec-
20 reational lands and waters on the date of the enact-
21 ment of this title, the Secretaries may—

22 (A) enter into a public-private partnership
23 for parking opportunities on non-Federal land;

24 (B) enter into contracts or agreements
25 with State, Tribal, or local governments for

1 parking opportunities using non-Federal lands
2 and resources; or

3 (C) provide alternative transportation sys-
4 tems for a unit of Federal recreational lands
5 and waters.

6 (b) RESTROOM OPPORTUNITIES.—

7 (1) IN GENERAL.—The Secretaries shall seek to
8 increase and improve the function, cleanliness, and
9 availability of restroom facilities for persons recre-
10 ating on Federal recreational lands and waters, in-
11 cluding by entering into partnerships with non-Fed-
12 eral partners, including State, Tribal, and local gov-
13 ernments and volunteer organizations.

14 (2) REPORT.—Not later than 2 years after the
15 date of enactment of this Act, the Secretaries shall
16 submit a report to Congress that identifies—

17 (A) challenges to maintaining or improving
18 the function, cleanliness, and availability of
19 restroom facilities on Federal recreational lands
20 and waters;

21 (B) the current state of restroom facilities
22 on Federal recreational lands and waters and
23 the effect restroom facilities have on visitor ex-
24periences; and

1 (C) policy recommendations that suggest
2 innovative new models or partnerships to in-
3 crease or improve the function, cleanliness, and
4 availability of restroom facilities for persons re-
5 creating on Federal recreational lands and
6 waters.

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

8 (a) DEFINITIONS.—In this section:

9 (1) INDEPENDENT EVALUATOR.—The term
10 “independent evaluator” means an individual or en-
11 tity, including an institution of higher education,
12 that is selected by the pay-for-performance bene-
13 ficiary and pay-for-performance investor, as applica-
14 ble, or by the pay-for-performance project developer,
15 in consultation with the Secretary of Agriculture, to
16 make the determinations and prepare the reports re-
17 quired under subsection (e).

18 (2) NATIONAL FOREST SYSTEM LAND.—The
19 term “National Forest System land” means land in
20 the National Forest System (as defined in section
21 11(a) of the Forest and Rangeland Renewable Re-
22 sources Planning Act of 1974 (16 U.S.C. 1609(a))).

23 (3) PAY-FOR-PERFORMANCE AGREEMENT.—The
24 term “pay-for-performance agreement” means a mu-
25 tual benefit agreement (excluding a procurement

1 contract, grant agreement, or cooperative agreement
2 described in chapter 63 of title 31, United States
3 Code) for a pay-for-performance project—

4 (A) with a term of—

5 (i) not less than 1 year; and

6 (ii) not more than 20 years; and

7 (B) that is executed, in accordance with
8 applicable law, by—

9 (i) the Secretary of Agriculture; and

10 (ii) a pay-for-performance beneficiary
11 or pay-for-performance project developer.

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

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

16 (A) repays capital loaned upfront by a pay-
17 for-performance investor, based on a project
18 outcome specified in a pay-for-performance
19 agreement; or

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

22 (5) PAY-FOR-PERFORMANCE INVESTOR.—The

23 term “pay-for-performance investor” means a State
24 or local government, an Indian Tribe, or a nonprofit
25 or for-profit organization that provides upfront

1 loaned capital for a pay-for-performance project with
2 the expectation of a financial return dependent on a
3 project outcome.

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

7 (A) would provide or enhance a rec-
8 reational opportunity;

9 (B) is conducted on—

10 (i) National Forest System land; or

11 (ii) other land, if the activities would
12 benefit National Forest System land (in-
13 cluding a recreational use of National For-
14 est System land); and

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

17 (i) loaned capital from a pay-for-per-
18 formance investor to cover upfront costs
19 associated with a pay-for-performance
20 project, with the loaned capital repaid by a
21 pay-for-performance beneficiary at a rate
22 of return dependent on a project outcome,
23 as measured by an independent evaluator;
24 or

1 (ii) capital directly from a pay-for-per-
2 formance beneficiary to support costs asso-
3 ciated with a pay-for-performance project
4 in an amount based on an anticipated
5 project outcome.

6 (7) PAY-FOR-PERFORMANCE PROJECT DEVEL-
7 OPER.—The term “pay-for-performance project de-
8 veloper” means a nonprofit or for-profit organization
9 that serves as an intermediary to assist in devel-
10 oping or implementing a pay-for-performance agree-
11 ment or a pay-for-performance project.

12 (8) PROJECT OUTCOME.—The term “project
13 outcome” means a measurable, beneficial result
14 (whether economic, environmental, or social) that is
15 attributable to a pay-for-performance project and de-
16 scribed in a pay-for-performance agreement.

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

21 (c) PAY-FOR-PERFORMANCE PROJECTS.—

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

1 (A) the Secretary of Agriculture; or

2 (B) a pay-for-performance project devel-
3 oper or a third party, subject to the conditions
4 that—

5 (i) the Secretary of Agriculture shall
6 approve the implementation by the pay-for-
7 performance project developer or third
8 party; and

9 (ii) the implementation is in accord-
10 ance with applicable law.

11 (2) RELATION TO LAND MANAGEMENT
12 PLANS.—A pay-for-performance project carried out
13 under this section shall be consistent with any appli-
14 cable land management plan developed under section
15 6 of the Forest and Rangeland Renewable Resources
16 Planning Act of 1974 (16 U.S.C. 1604).

17 (3) OWNERSHIP.—

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

22 (B) EXISTING IMPROVEMENTS.—Investing
23 in, conducting, or completing a pay-for-perform-
24 ance project on National Forest System land

1 shall not affect the title of the United States
2 to—

3 (i) any federally owned improvements
4 involved in the pay-for-performance
5 project; or

6 (ii) the underlying land.

7 (4) SAVINGS CLAUSE.—The carrying out of any
8 action for a pay-for-performance project does not
9 provide any right to any party to a pay-for-perform-
10 ance agreement.

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

16 (d) PROJECT AGREEMENTS.—

17 (1) IN GENERAL.—Notwithstanding the Act of
18 June 30, 1914 (38 Stat. 430, chapter 131; 16
19 U.S.C. 498), or subtitle C of title XX of the Social
20 Security Act (42 U.S.C. 1397n et seq.), in carrying
21 out the pilot program under this section, the Sec-
22 retary of Agriculture may enter into a pay-for-per-
23 formance agreement under which a pay-for-perform-
24 ance beneficiary, pay-for-performance investor, or
25 pay-for-performance project developer agrees to pay

1 for or finance all or part of a pay-for-performance
2 project.

3 (2) SIZE LIMITATION.—The Secretary of Agri-
4 culture may not enter into a pay-for-performance
5 agreement under the pilot program under this sec-
6 tion for a pay-for-performance project valued at
7 more than \$15,000,000.

8 (3) FINANCING.—

9 (A) IN GENERAL.—A pay-for-performance
10 agreement shall specify the amounts that a pay-
11 for-performance beneficiary or a pay-for-per-
12 formance project developer agrees to pay to a
13 pay-for-performance investor or a pay-for-per-
14 formance project developer, as appropriate, in
15 the event of an independent evaluator deter-
16 mining pursuant to subsection (e) the degree to
17 which a project outcome has been achieved.

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

20 (i) based on—

21 (I) the respective contributions of
22 the parties under the pay-for-perform-
23 ance agreement; and

1 (II) the economic, environmental,
2 or social benefits derived from the
3 project outcomes; and

4 (ii)(I) a percentage of the estimated
5 value of a project outcome;

6 (II) a percentage of the estimated cost
7 savings to the pay-for-performance bene-
8 ficiary or the Secretary of Agriculture de-
9 rived from a project outcome;

10 (III) a percentage of the enhanced
11 revenue to the pay-for-performance bene-
12 ficiary or the Secretary of Agriculture de-
13 rived from a project outcome; or

14 (IV) a percentage of the cost of the
15 pay-for-performance project.

16 (C) FOREST SERVICE FINANCIAL ASSIST-
17 ANCE.—Subject to the availability of appropria-
18 tions, the Secretary of Agriculture may con-
19 tribute funding for a pay-for-performance
20 project only if—

21 (i) the Secretary of Agriculture dem-
22 onstrates that—

23 (I) the pay-for-performance
24 project would provide a cost savings
25 to the United States;

1 (II) the funding would accelerate
2 the pace of implementation of an ac-
3 tivity previously planned to be com-
4 pleted by the Secretary of Agriculture;
5 or

6 (III) the funding would accel-
7 erate the scale of implementation of
8 an activity previously planned to be
9 completed by the Secretary of Agri-
10 culture; and

11 (ii) the contribution of the Secretary
12 of Agriculture has a value that is not more
13 than 50 percent of the total cost of the
14 pay-for-performance project.

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

18 (i) shall be retained in a separate
19 fund in the Treasury to be used solely for
20 pay-for-performance projects; and

21 (ii) shall remain available until ex-
22 pended and without further appropriation.

23 (4) MAINTENANCE AND DECOMMISSIONING OF
24 PAY-FOR-PERFORMANCE PROJECT IMPROVE-
25 MENTS.—A pay-for-performance agreement shall—

1 (A) include a plan for maintaining any
2 capital improvement constructed as part of a
3 pay-for-performance project after the date on
4 which the pay-for-performance project is com-
5 pleted; and

6 (B) specify the party that will be respon-
7 sible for decommissioning the improvements as-
8 sociated with the pay-for-performance project—

9 (i) at the end of the useful life of the
10 improvements;

11 (ii) if the improvements no longer
12 serve the purpose for which the improve-
13 ments were developed; or

14 (iii) if the pay-for-performance project
15 fails.

16 (5) TERMINATION OF PAY-FOR-PERFORMANCE
17 PROJECT AGREEMENTS.—The Secretary of Agri-
18 culture may unilaterally terminate a pay-for-per-
19 formance agreement, in whole or in part, for any
20 program year beginning after the program year dur-
21 ing which the Secretary of Agriculture provides to
22 each party to the pay-for-performance agreement a
23 notice of the termination.

24 (e) INDEPENDENT EVALUATIONS.—

1 (1) PROGRESS REPORTS.—An independent eval-
2 uator shall submit to the Secretary of Agriculture
3 and each party to the applicable pay-for-performance
4 agreement—

5 (A) by not later than 2 years after the
6 date on which the pay-for-performance agree-
7 ment is executed, and at least once every 2
8 years thereafter, a written report that summa-
9 rizes the progress that has been made in achiev-
10 ing each project outcome; and

11 (B) before the first scheduled date for a
12 payment described in subsection (d)(3)(A), and
13 each subsequent date for payment, a written re-
14 port that—

15 (i) summarizes the results of the eval-
16 uation conducted by the independent eval-
17 uator to determine whether a payment
18 should be made pursuant to the pay-for-
19 performance agreement; and

20 (ii) analyzes the reasons why a project
21 outcome was achieved or was not achieved.

22 (2) FINAL REPORTS.—Not later than 180 days
23 after the date on which a pay-for-performance
24 project is completed, the independent evaluator shall
25 submit to the Secretary of Agriculture and each

1 party to the pay-for-performance agreement a writ-
2 ten report that includes, with respect to the period
3 covered by the report—

4 (A) an evaluation of the effects of the pay-
5 for-performance project with respect to each
6 project outcome;

7 (B) a determination of whether the pay-
8 for-performance project has met each project
9 outcome; and

10 (C) the amount of the payments made for
11 the pay-for-performance project pursuant to
12 subsection (d)(3)(A).

13 (f) ADDITIONAL FOREST SERVICE-PROVIDED AS-
14 SISTANCE.—

15 (1) TECHNICAL ASSISTANCE.—The Secretary of
16 Agriculture may provide technical assistance to fa-
17 cilitate pay-for-performance project development,
18 such as planning, permitting, site preparation, and
19 design work.

20 (2) CONSULTANTS.—Subject to the availability
21 of appropriations, the Secretary of Agriculture may
22 hire a contractor—

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

1 (B) to assist in the development, imple-
2 mentation, or evaluation of a proposed pay-for-
3 performance project or a pay-for-performance
4 agreement; or

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

7 (g) SAVINGS CLAUSE.—The Secretary of Agriculture
8 shall approve a record of decision, decision notice, or deci-
9 sion memo for any activities to be carried out on National
10 Forest System land as part of a pay-for-performance
11 project before the Secretary of Agriculture may enter into
12 a pay-for-performance agreement involving the applicable
13 pay-for-performance project.

14 (h) DURATION OF PILOT PROGRAM.—

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

19 (2) SAVINGS CLAUSE.—Nothing in paragraph
20 (1) affects any pay-for-performance project agree-
21 ment entered into by the Secretary of Agriculture
22 under this section before the date described in that
23 paragraph.

1 **SEC. 156. OUTDOOR RECREATION LEGACY PARTNERSHIP**
2 **PROGRAM.**

3 (a) DEFINITIONS.—In this section:

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

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

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

13 (A) a State;

14 (B) a political subdivision of a State, in-
15 cluding—

16 (i) a city;

17 (ii) a county; or

18 (iii) a special purpose district that
19 manages open space, including a park dis-
20 trict; and

21 (C) an Indian Tribe, urban Indian organi-
22 zation, or Alaska Native or Native Hawaiian
23 community or organization.

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

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

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

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

10 (B) 2 or more adjacent urban clusters with
11 a combined population of 25,000 or more in the
12 most recent census; or

13 (C) an area administered by an Indian
14 Tribe or an Alaska Native or Native Hawaiian
15 community organization.

16 (b) GRANTS AUTHORIZED.—

17 (1) CODIFICATION OF PROGRAM.—

18 (A) IN GENERAL.—There is established an
19 existing program, to be known as the “Outdoor
20 Recreation Legacy Partnership Program”,
21 under which the Secretary may award grants to
22 eligible entities for projects—

23 (i) to acquire land and water for
24 parks and other outdoor recreation pur-
25 poses in qualifying areas; and

1 (ii) to develop new or renovate exist-
2 ing outdoor recreation facilities that pro-
3 vide outdoor recreation opportunities to the
4 public in qualifying areas.

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

8 (i) create or significantly enhance ac-
9 cess to park and recreational opportunities
10 in a qualifying area;

11 (ii) engage and empower low-income
12 communities and youth;

13 (iii) provide employment or job train-
14 ing opportunities for youth or low-income
15 communities;

16 (iv) establish or expand public-private
17 partnerships, with a focus on leveraging re-
18 sources; and

19 (v) take advantage of coordination
20 among various levels of government.

21 (2) MATCHING REQUIREMENT.—

22 (A) IN GENERAL.—As a condition of re-
23 ceiving a grant under paragraph (1), an eligible
24 entity shall provide matching funds in the form
25 of cash or an in-kind contribution in an amount

1 equal to not less than 100 percent of the
2 amounts made available under the grant.

3 (B) ADMINISTRATIVE EXPENSES.—Not
4 more than 7 percent of funds provided to an eli-
5 gible entity under a grant awarded under para-
6 graph (1) may be used for administrative ex-
7 penses.

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

11 (A) provide recreation opportunities in low-
12 income communities in which access to parks is
13 not adequate to meet local needs;

14 (B) provide opportunities for outdoor
15 recreation and public land volunteerism;

16 (C) support innovative or cost-effective
17 ways to enhance parks and other recreation—

18 (i) opportunities; or

19 (ii) delivery of services;

20 (D) support park and recreation program-
21 ming provided by local governments, including
22 cooperative agreements with community-based
23 eligible nonprofit organizations;

24 (E) develop Native American event sites
25 and cultural gathering spaces;

1 (F) provide benefits such as community re-
2 siliience, reduction of urban heat islands, en-
3 hanced water or air quality, or habitat for fish
4 or wildlife; and

5 (G) facilitate any combination of purposes
6 listed in subparagraphs (A) through (F).

7 (4) ELIGIBLE USES.—

8 (A) IN GENERAL.—Subject to subpara-
9 graph (B), an eligible entity may use a grant
10 awarded under paragraph (1) for a project de-
11 scribed in subparagraph (A) or (B) of that
12 paragraph.

13 (B) LIMITATIONS ON USE.—An eligible en-
14 tity may not use grant funds for—

15 (i) incidental costs related to land ac-
16 quisition, including appraisal and titling;

17 (ii) operation and maintenance activi-
18 ties;

19 (iii) facilities that support
20 semiprofessional or professional athletics;

21 (iv) indoor facilities, such as recre-
22 ation centers or facilities that support pri-
23 marily nonoutdoor purposes; or

24 (v) acquisition of land or interests in
25 land that restrict public access.

1 (C) CONVERSION TO OTHER THAN PUBLIC
2 OUTDOOR RECREATION USE.—

3 (i) IN GENERAL.—No property ac-
4 quired or developed with assistance under
5 this section shall, without the approval of
6 the Secretary, be converted to other than
7 public outdoor recreation use.

8 (ii) CONDITION FOR APPROVAL.—The
9 Secretary shall approve a conversion only if
10 the Secretary finds it to be in accordance
11 with the then-existing comprehensive
12 Statewide outdoor recreation plan and only
13 on such conditions as the Secretary con-
14 siders necessary to ensure the substitution
15 of other recreation properties of at least
16 equal fair market value and of reasonably
17 equivalent usefulness and location.

18 (iii) WETLAND AREAS AND INTERESTS
19 THEREIN.—Wetland areas and interests
20 therein as identified in the wetlands provi-
21 sions of the comprehensive plan and pro-
22 posed to be acquired as suitable replace-
23 ment property within the same State that
24 is otherwise acceptable to the Secretary,
25 acting through the Director of the Na-

1 tional Park Service, shall be deemed to be
2 of reasonably equivalent usefulness with
3 the property proposed for conversion.

4 (c) REVIEW AND EVALUATION REQUIREMENTS.—In
5 carrying out the Outdoor Recreation Legacy Partnership
6 Program, the Secretary shall—

7 (1) conduct an initial screening and technical
8 review of applications received;

9 (2) evaluate and score all qualifying applica-
10 tions; and

11 (3) provide culturally and linguistically appro-
12 priate information to eligible entities (including low-
13 income communities and eligible entities serving low-
14 income communities) on—

15 (A) the opportunity to apply for grants
16 under this section;

17 (B) the application procedures by which el-
18 igible entities may apply for grants under this
19 section; and

20 (C) eligible uses for grants under this sec-
21 tion.

22 (d) REPORTING.—

23 (1) ANNUAL REPORTS.—Not later than 30 days
24 after the last day of each report period, each State-
25 lead agency that receives a grant under this section

1 shall annually submit to the Secretary performance
2 and financial reports that—

3 (A) summarize project activities conducted
4 during the report period; and

5 (B) provide the status of the project.

6 (2) FINAL REPORTS.—Not later than 90 days
7 after the earlier of the date of expiration of a project
8 period or the completion of a project, each State-
9 lead agency that receives a grant under this section
10 shall submit to the Secretary a final report con-
11 taining such information as the Secretary may re-
12 quire.

13 **SEC. 157. AMERICAN BATTLEFIELD PROTECTION PROGRAM**
14 **ENHANCEMENT.**

15 (a) DEFINITIONS.—Section 308101 of title 54,
16 United States Code, is amended to read as follows:

17 **“§ 308101. Definitions**

18 “In this chapter:

19 “(1) SECRETARY.—The term ‘Secretary’ means
20 the Secretary, acting through the American Battle-
21 field Protection Program.

22 “(2) BATTLEFIELD REPORTS.—The term ‘Bat-
23 tlefield Reports’ means, collectively—

24 “(A) the document entitled ‘Report on the
25 Nation’s Civil War Battlefields’, prepared by

1 the Civil War Sites Advisory Commission, and
2 dated July 1993; and

3 “(B) the document entitled ‘Report to
4 Congress on the Historic Preservation of Revo-
5 lutionary War and War of 1812 Sites in the
6 United States’, prepared by the National Park
7 Service, and dated September 2007.”.

8 (b) PRESERVATION ASSISTANCE.—Section
9 308102(a) of title 54, United States Code, is amended by
10 striking “Federal” and all that follows through “organiza-
11 tions” and inserting “Federal agencies, States, Tribes,
12 local governments, other public entities, educational insti-
13 tutions, and nonprofit organizations”.

14 (c) BATTLEFIELD LAND ACQUISITION GRANTS IM-
15 PROVEMENTS.—Section 308103 of title 54, United States
16 Code, is amended—

17 (1) by amending subsection (a) to read as fol-
18 lows:

19 “(a) ELIGIBLE SITE DEFINED.—In this section, the
20 term ‘eligible site’—

21 “(1) means a site that—

22 “(A) is not within the exterior boundaries
23 of a unit of the National Park System; and

24 “(B) is identified in the Battlefield Reports
25 as a battlefield; and

1 “(2) excludes sites identified in the Battlefield
2 Reports as associated historic sites.”;

3 (2) in subsection (b), by striking “State and
4 local governments” and inserting “States, Tribes,
5 local governments, and nonprofit organizations”;

6 (3) in subsection (c), by striking “State or local
7 government” and inserting “State, Tribe, or local
8 government”; and

9 (4) in subsection (e), by striking “under this
10 section” and inserting “under this section, including
11 by States, Tribes, local governments, and nonprofit
12 organizations,”.

13 (d) BATTLEFIELD RESTORATION GRANTS IMPROVE-
14 MENTS.—Section 308105 of title 54, United States Code,
15 is amended—

16 (1) by amending subsection (a) to read as fol-
17 lows:

18 “(a) ESTABLISHMENT.—The Secretary shall estab-
19 lish a battlefield restoration grant program (referred to
20 in this section as the ‘program’) under which the Secretary
21 may provide grants to States, Tribes, local governments,
22 and nonprofit organizations for projects that restore day-
23 of-battle conditions on—

1 “(1) land preserved and protected under the
2 battlefield acquisition grant program established
3 under section 308103(b); or

4 “(2) battlefield land that is—

5 “(A) owned by a State, Tribe, local govern-
6 ment, or nonprofit organization; and

7 “(B) referred to in the Battlefield Re-
8 ports.”; and

9 (2) by striking subsection (b) and inserting the
10 following:

11 “(b) ELIGIBLE SITES.—The Secretary may make
12 grants under this section for Revolutionary War, War of
13 1812, and Civil War battlefield sites—

14 “(1) eligible for assistance under the battlefield
15 acquisition grant program established under section
16 308103(b); or

17 “(2) on battlefield land that is—

18 “(A) owned by a State, Tribe, local govern-
19 ment, or nonprofit organization; and

20 “(B) referred to in battlefield reports.”.

21 (e) UPDATES AND IMPROVEMENTS.—Chapter 3081
22 of title 54, United States Code, is amended by adding at
23 the end the following:

1 **“§ 308106. Updates and improvements to Battlefield**
2 **Reports**

3 “Not later than 2 years after the date of the enact-
4 ment of this section, and every 10 years thereafter, the
5 Secretary shall submit to Congress a report that updates
6 the Battlefield Reports to reflect—

7 “(1) preservation activities carried out at the
8 battlefields in the period since the publication of the
9 most recent Battlefield Reports update;

10 “(2) changes in the condition, including core
11 and study areas, of the battlefields during that pe-
12 riod; and

13 “(3) any other relevant developments relating
14 to the battlefields during that period.”.

15 (f) CLERICAL AMENDMENT.—The table of sections
16 for chapter 3081 of title 54, United States Code, is
17 amended as follows:

18 (1) By amending the item relating to section
19 308101 to read as follows: “308101. Definitions.”.

20 (2) By adding at the end the following:
21 “308106. Updates and improvements to Battlefield
22 Reports.”.

23 **TITLE II—ACCESS AMERICA**

24 **SEC. 201. DEFINITIONS.**

25 In this title:

1 (1) ACCESSIBLE TRAIL.—The term “accessible
2 trail” means a trail that meets the requirements for
3 a trail under the Architectural Barriers Act accessi-
4 bility guidelines.

5 (2) ARCHITECTURAL BARRIERS ACT ACCESSI-
6 BILITY GUIDELINES.—The term “Architectural Bar-
7 riers Act accessibility guidelines” means the accessi-
8 bility guidelines set forth in appendices C and D to
9 part 1191 of title 36, Code of Federal Regulations
10 (or successor regulations).

11 (3) ASSISTIVE TECHNOLOGY.—The term “as-
12 sistive technology” means any item, piece of equip-
13 ment, or product system, whether acquired commer-
14 cially, modified, or customized, that is used to in-
15 crease, maintain, or improve functional capabilities
16 of individuals with disabilities, particularly with par-
17 ticipating in outdoor recreation activities.

18 (4) GOLD STAR FAMILY MEMBER.—The term
19 “Gold Star Family member” means an individual
20 described in section 3.3 of Department of Defense
21 Instruction 1348.36.

22 (5) OUTDOOR CONSTRUCTED FEATURE.—The
23 term “outdoor constructed feature” has the meaning
24 given such term in appendix C to part 1191 of title

1 36, Code of Federal Regulations (or successor regu-
2 lations).

3 (6) VETERANS ORGANIZATION.—The term “vet-
4 erans organization” means a service provider with
5 outdoor recreation experience that serves members
6 of the Armed Forces, veterans, or Gold Star Family
7 members.

8 **Subtitle A—Access for People With**
9 **Disabilities**

10 **SEC. 211. ACCESSIBLE RECREATION INVENTORY.**

11 (a) ASSESSMENT.—Not later than 5 years after the
12 date of the enactment of this title, the Secretary concerned
13 shall—

14 (1) carry out a comprehensive assessment of
15 outdoor recreation facilities on Federal recreational
16 lands and waters under the jurisdiction of the re-
17 spective Secretary concerned to determine the acces-
18 sibility of such outdoor recreation facilities, con-
19 sistent with the Architectural Barriers Act of 1968
20 (42 U.S.C. 4151 et seq.) and section 504 of the Re-
21 habilitation Act (29 U.S.C. 794), including—

22 (A) camp shelters, camping facilities, and
23 camping units;

24 (B) boat launch ramps;

1 (C) hunting, fishing, shooting, or archery
2 ranges or locations;

3 (D) outdoor constructed features;

4 (E) picnic facilities and picnic units; and

5 (F) any other outdoor recreation facilities,
6 as determined by the Secretary concerned; and

7 (2) make information about such opportunities
8 available (including through the use of prominently
9 displayed links) on public websites of—

10 (A) each of the Federal land management
11 agencies; and

12 (B) each relevant unit and subunit of the
13 Federal land management agencies.

14 (b) INCLUSION OF CURRENT ASSESSMENTS.—As
15 part of the comprehensive assessment required under sub-
16 section (a)(1), to the extent practicable, the Secretary con-
17 cerned may rely on assessments completed or data gath-
18 ered prior to the date of the enactment of this title.

19 (c) PUBLIC INFORMATION.—Not later than 7 years
20 after the date of the enactment of this title, the Secretary
21 concerned shall identify opportunities to create, update, or
22 replace signage and other publicly available information,
23 including web page information, related to accessibility
24 and consistent with the Architectural Barriers Act of 1968
25 (42 U.S.C. 4151 et seq.) and section 504 of the Rehabili-

1 tation Act (29 U.S.C. 794) 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 high-priority trails, in accordance with subsection
10 (b), on Federal recreational lands and waters under
11 the jurisdiction of the respective Secretary con-
12 cerned, including measuring each trail's—

- 13 (A) average and minimum tread width;
14 (B) average and maximum running slope;
15 (C) average and maximum cross slope;
16 (D) tread type; and
17 (E) length; and

18 (2) make information about such high-priority
19 trails available (including through the use of promi-
20 nently displayed links) on public websites of—

- 21 (A) each of the Federal land management
22 agencies; and
23 (B) each relevant unit and subunit of the
24 Federal land management agencies.

1 (b) SELECTION.—The Secretary concerned shall se-
2 lect high-priority trails to be assessed under subsection
3 (a)(1)—

4 (1) in consultation with stakeholders, including
5 veterans organizations and organizations with exper-
6 tise or experience providing outdoor recreation op-
7 portunities to individuals with disabilities;

8 (2) in a geographically equitable manner; and

9 (3) in no fewer than 15 units or subunits man-
10 aged by the Secretary concerned.

11 (c) INCLUSION OF CURRENT ASSESSMENTS.—As
12 part of the assessment required under subsection (a)(1),
13 the Secretary concerned may, to the extent practicable,
14 rely on assessments completed or data gathered prior to
15 the date of the enactment of this title.

16 (d) PUBLIC INFORMATION.—

17 (1) IN GENERAL.—Not later than 7 years after
18 the date of the enactment of this title, the Secretary
19 concerned shall identify opportunities to replace
20 signage and other publicly available information, in-
21 cluding web page information, related to such high-
22 priority trails and consistent with the Architectural
23 Barriers Act of 1968 (42 U.S.C. 4151 et seq.) and
24 section 504 of the Rehabilitation Act (29 U.S.C.

1 794) at high-priority trails covered by the assess-
2 ment required under subsection (a)(1).

3 (2) TREAD OBSTACLES.—As part of the assess-
4 ment required under subsection (a)(1), the Secretary
5 may, to the extent practicable, include photographs
6 or descriptions of tread obstacles and barriers.

7 (e) ASSISTIVE TECHNOLOGY SPECIFICATION.—In
8 publishing information about each trail under this sub-
9 section, the Secretary concerned shall make public infor-
10 mation about trails that do not meet the Architectural
11 Barriers Act accessibility guidelines but could otherwise
12 provide outdoor recreation opportunities to individuals
13 with disabilities through the use of certain assistive tech-
14 nology.

15 **SEC. 213. TRAIL PILOT PROGRAM.**

16 (a) IN GENERAL.—Not later than 2 years after the
17 date of the enactment of this title, the Secretary concerned
18 shall carry out a pilot program to enter into partnerships
19 with eligible entities to—

20 (1) measure high-priority trails as part of the
21 assessment required under section 212;

22 (2) develop accessible trails under section 214;

23 and

1 (3) make minor modifications to existing trails
2 to enhance recreational experiences for individuals
3 with disabilities using assistive technology—

4 (A) in compliance with all applicable land
5 use and management plans of the Federal rec-
6 reational lands and waters on which the acces-
7 sible trail is located; and

8 (B) in consultation with stakeholders, in-
9 cluding veterans organizations and organiza-
10 tions with expertise or experience providing out-
11 door recreation opportunities to individuals with
12 disabilities.

13 (b) LOCATIONS.—

14 (1) IN GENERAL.—The Secretary concerned
15 shall select no fewer than 5 units or subunits under
16 the jurisdiction of the respective Secretary concerned
17 to carry out the pilot program established under
18 subsection (a).

19 (2) SPECIAL RULE OF CONSTRUCTION FOR THE
20 DEPARTMENT OF THE INTERIOR.—In selecting the
21 locations of the pilot program, the Secretary shall
22 ensure that the pilot program is carried out in at
23 least one unit managed by the—

24 (A) National Park Service;

25 (B) Bureau of Land Management; and

1 (C) United States Fish and Wildlife Serv-
2 ice.

3 (c) SUNSET.—The pilot program established under
4 this subsection shall terminate on the date that is 7 years
5 after the date of the enactment of this title.

6 **SEC. 214. ACCESSIBLE TRAILS.**

7 (a) IN GENERAL.—Not later than 1 year after the
8 date of the enactment of this title, the Secretary concerned
9 shall select a location or locations to develop at least 3
10 new accessible trails—

11 (1) on National Forest System lands in each re-
12 gion of the Forest Service;

13 (2) on land managed by the National Park
14 Service in each region of the National Park Service;

15 (3) on land managed by the Bureau of Land
16 Management in each region of the Bureau of Land
17 Management; and

18 (4) on land managed by the United States Fish
19 and Wildlife Service in each region of the United
20 States Fish and Wildlife Service.

21 (b) DEVELOPMENT.—In developing an accessible
22 trail under subsection (a), the Secretary concerned—

23 (1) may—

24 (A) create a new accessible trail;

1 (B) modify an existing trail into an acces-
2 sible trail; or

3 (C) create an accessible trail from a com-
4 bination of new and existing trails; and
5 (2) shall—

6 (A) consult with stakeholders with respect
7 to the feasibility and resources necessary for
8 completing the accessible trail;

9 (B) ensure the accessible trail complies
10 with the Architectural Barriers Act of 1968 (42
11 U.S.C. 4151 et seq.) and section 504 of the Re-
12 habilitation Act (29 U.S.C. 794); and

13 (C) to the extent practicable, ensure that
14 outdoor constructed features supporting the ac-
15 cessible trail, including trail bridges, parking
16 spaces, and restroom facilities, meet the re-
17 quirements of the Architectural Barriers Act of
18 1968 (42 U.S.C. 4151 et seq.) and section 504
19 of the Rehabilitation Act (29 U.S.C. 794).

20 (e) 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 described under
23 subsection (b)(2), shall complete each accessible trail de-
24 veloped under subsection (a).

1 (d) MAPS, SIGNAGE, AND PROMOTIONAL MATE-
2 RIALS.—For each accessible trail developed under sub-
3 section (a), the Secretary concerned shall—

4 (1) publish and distribute maps and install
5 signage, consistent with Architectural Barriers Act
6 of 1968 accessibility guidelines and section 508 of
7 the Rehabilitation Act (29 U.S.C. 794d); and

8 (2) coordinate with stakeholders to leverage any
9 non-Federal resources necessary for the develop-
10 ment, stewardship, completion, or promotion of the
11 accessible trail.

12 (e) CONFLICT AVOIDANCE WITH OTHER USES.—In
13 developing each accessible trail under subsection (a), the
14 Secretary concerned shall ensure that the accessible
15 trail—

16 (1) minimizes conflict with—

17 (A) the uses in effect before the date of the
18 enactment of this title with respect to any trail
19 that is part of that accessible trail;

20 (B) multiple-use areas where biking, hik-
21 ing, horseback riding, off-highway vehicle recre-
22 ation, or use by pack and saddle stock are ex-
23 isting uses on the date of the enactment of this
24 title; or

1 (C) the purposes for which any trail is es-
2 tablished under the National Trails System Act
3 (16 U.S.C. 1241 et seq.); and

4 (2) complies with all applicable land use and
5 management plans of the Federal recreational lands
6 and waters on which the accessible trail is located.

7 (f) REPORTS.—

8 (1) INTERIM REPORT.—Not later than 3 years
9 after the date of the enactment of this title, the Sec-
10 retary concerned, in coordination with stakeholders
11 and other interested organizations, shall prepare and
12 publish an interim report that lists the accessible
13 trails developed under this section during the pre-
14 vious 3 years.

15 (2) FINAL REPORT.—Not later than 7 years
16 after the date of the enactment of this title, the Sec-
17 retary concerned, in coordination with stakeholders
18 and other interested organizations, shall prepare and
19 publish a final report that lists the accessible trails
20 developed under this section.

21 **SEC. 215. ACCESSIBLE RECREATION OPPORTUNITIES.**

22 (a) IN GENERAL.—Not later than 1 year after the
23 date of the enactment of this title, the Secretary concerned
24 shall select a location to develop at least 2 new accessible
25 recreation opportunities—

1 (1) on National Forest System lands in each re-
2 gion of the Forest Service;

3 (2) on land managed by the National Park
4 Service in each region of the National Park Service;

5 (3) on land managed by the Bureau of Land
6 Management in each region of the Bureau of Land
7 Management; and

8 (4) on land managed by the United States Fish
9 and Wildlife Service in each region of the United
10 States Fish and Wildlife Service.

11 (b) DEVELOPMENT.—In developing an accessible
12 recreation opportunity under subsection (a), the Secretary
13 concerned—

14 (1) may—

15 (A) create a new accessible recreation op-
16 portunity; or

17 (B) modify an existing recreation oppor-
18 tunity into an accessible recreation opportunity;

19 and

20 (2) shall—

21 (A) consult with stakeholders with respect
22 to the feasibility and resources necessary for
23 completing the accessible recreation oppor-
24 tunity;

1 (B) ensure the accessible recreation oppor-
2 tunity complies with the Architectural Barriers
3 Act of 1968 (42 U.S.C. 4151 et seq.) and sec-
4 tion 504 of the Rehabilitation Act (29 U.S.C.
5 794); and

6 (C) to the extent practicable, ensure that
7 outdoor constructed features supporting the ac-
8 cessible recreation opportunity, including trail
9 bridges, parking spaces and restroom facilities,
10 meet the requirements of the Architectural Bar-
11 riers Act of 1968 and section 504 of the Reha-
12 bilitation Act (29 U.S.C. 794).

13 (c) ACCESSIBLE RECREATION OPPORTUNITIES.—
14 The accessible recreation opportunities developed under
15 subsection (a) may include improving accessibility or ac-
16 cess to—

17 (1) camp shelters, camping facilities, and camp-
18 ing units;

19 (2) hunting, fishing, shooting, or archery
20 ranges or locations;

21 (3) snow activities, including skiing and
22 snowboarding;

23 (4) water activities, including kayaking, pad-
24 dling, canoeing, and boat launch ramps;

25 (5) rock climbing;

- 1 (6) biking;
- 2 (7) off-highway vehicle recreation;
- 3 (8) picnic facilities and picnic units;
- 4 (9) outdoor constructed features; and
- 5 (10) any other new or existing recreation oppor-
- 6 tunities identified in consultation with stakeholders
- 7 under subsection (b)(2) and consistent with the ap-
- 8 plicable land management plan.

9 (d) COMPLETION.—Not later than 7 years after the
10 date of the enactment of this title, the Secretary con-
11 cerned, in coordination with stakeholders consulted with
12 under subsection (b)(2), shall complete each accessible
13 recreation opportunity developed under subsection (a).

14 (e) MAPS, SIGNAGE, AND PROMOTIONAL MATE-
15 RIALS.—For each accessible recreation opportunity devel-
16 oped under subsection (a), the Secretary concerned shall—

17 (1) publish and distribute maps and install
18 signage, consistent with Architectural Barriers Act
19 accessibility guidelines and section 508 of the Reha-
20 bilitation Act (29 U.S.C. 794d); and

21 (2) coordinate with stakeholders to leverage any
22 non-Federal resources necessary for the develop-
23 ment, stewardship, completion, or promotion of the
24 accessible trail.

1 (f) CONFLICT AVOIDANCE WITH OTHER USES.—In
2 developing each accessible recreation opportunity under
3 subsection (a), the Secretary concerned shall ensure that
4 the accessible recreation opportunity—

5 (1) minimizes conflict with—

6 (A) the uses in effect before the date of the
7 enactment of this title with respect to any Fed-
8 eral recreational lands and waters on which the
9 accessible recreation opportunity is located; or

10 (B) multiple-use areas in existence on the
11 date of the enactment of this title; and

12 (2) complies with all applicable land use and
13 management plans of the Federal recreational lands
14 and waters on which the accessible recreational op-
15 portunity is located.

16 (g) REPORTS.—

17 (1) INTERIM REPORT.—Not later than 3 years
18 after the date of the enactment of this title, the Sec-
19 retary concerned, in coordination with stakeholders
20 and other interested organizations, shall prepare and
21 publish an interim report that lists the accessible
22 recreation opportunities developed under this section
23 during the previous 3 years.

24 (2) FINAL REPORT.—Not later than 7 years
25 after the date of the enactment of this title, the Sec-

1 materials to disseminate to members of the Armed Forces
2 and veterans, including through preseparation counseling
3 of the Transition Assistance Program under chapter 1142
4 of title 10, United States Code, on—

5 (1) opportunities for members of the Armed
6 Forces and veterans to access Federal recreational
7 lands and waters free of charge under section 805
8 of the Federal Lands Recreation Enhancement Act
9 (16 U.S.C. 6804);

10 (2) the availability and location of accessible
11 trails, including new accessible trails developed and
12 completed under section 214;

13 (3) the availability and location of accessible
14 recreation opportunities, including new accessible
15 recreation opportunities developed and completed
16 under section 215;

17 (4) access to, and assistance with, assistive
18 technology;

19 (5) outdoor-related volunteer and wellness pro-
20 grams;

21 (6) the benefits of outdoor recreation for phys-
22 ical and mental health;

23 (7) resources to access guided outdoor trips and
24 other outdoor programs connected to the Depart-
25 ment of Defense, the Department of Veterans Af-

1 Department of the Interior, and partner organi-
2 zations regarding the use of Federal rec-
3 reational lands and waters for facilitating
4 health and wellness for veterans;

5 (B) addressing identified barriers that
6 exist to providing veterans with opportunities to
7 augment the delivery of services for health and
8 wellness through the use of outdoor recreation
9 on Federal recreational lands and waters; and

10 (C) facilitating the use of Federal rec-
11 reational lands and waters for promoting
12 wellness and facilitating the delivery of health
13 care and therapeutic interventions for veterans;

14 (3) coordinate with Military Veterans Outdoor
15 Recreation Liaisons at other Federal agencies and
16 veterans organizations; and

17 (4) promote outdoor recreation experiences for
18 veterans on Federal recreational lands and waters
19 through new and innovative approaches.

20 **SEC. 223. PARTNERSHIPS TO PROMOTE MILITARY AND VET-**
21 **ERAN RECREATION.**

22 (a) IN GENERAL.—The Secretary concerned shall
23 seek to enter into partnerships or agreements with State,
24 Tribal, local, or private entities with expertise in outdoor

1 recreation, volunteer, accessibility, and health and wellness
2 programs for members of the Armed Forces or veterans.

3 (b) PARTNERSHIPS.—As part of a partnership or
4 agreement entered into under subsection (a), the Sec-
5 retary concerned may host events on Federal recreational
6 lands and waters designed to promote outdoor recreation
7 among members of the Armed Forces and veterans.

8 (c) FINANCIAL AND TECHNICAL ASSISTANCE.—
9 Under a partnership or agreement entered into pursuant
10 to subsection (a), the Secretary concerned may provide fi-
11 nancial or technical assistance to the entity with which
12 the respective Secretary concerned has entered into the
13 partnership or agreement to assist with—

14 (1) the planning, development, and execution of
15 events, activities, or programs designed to promote
16 outdoor recreation for members of the Armed Forces
17 or veterans; or

18 (2) the acquisition of assistive technology to fa-
19 cilitate improved outdoor recreation opportunities for
20 members of the Armed Forces or veterans.

21 **SEC. 224. NATIONAL STRATEGY FOR MILITARY AND VET-**
22 **ERAN RECREATION.**

23 (a) STRATEGY.—Not later than 1 year after the date
24 of the enactment of this title, the Federal Interagency
25 Council on Outdoor Recreation established under section

1 113 shall develop and make public a strategy to increase
2 visits to Federal recreational lands and waters by mem-
3 bers of the Armed Forces, veterans, and Gold Star Family
4 members.

5 (b) REQUIREMENTS.—A strategy developed under
6 subsection (a)—

7 (1) shall—

8 (A) establish objectives and quantifiable
9 targets for increasing visits to Federal rec-
10 reational lands and waters by members of the
11 Armed Forces, veterans, and Gold Star Family
12 members;

13 (B) include an opportunity for public no-
14 tice and comment;

15 (C) emphasize increased recreation oppor-
16 tunities on Federal recreational lands and
17 waters for members of the Armed Forces, vet-
18 erans, and Gold Star Family members; and

19 (D) provide the anticipated costs to achieve
20 the objectives and meet the targets established
21 under subparagraph (A); and

22 (2) shall not establish any preference between
23 similar recreation facilitated by noncommercial or
24 commercial entities.

1 **SEC. 226. CAREER AND VOLUNTEER OPPORTUNITIES FOR**
2 **VETERANS.**

3 (a) VETERAN HIRING.—The Secretaries are strongly
4 encouraged to hire veterans in all positions related to the
5 management of Federal recreational lands and waters.

6 (b) PILOT PROGRAM.—

7 (1) ESTABLISHMENT.—The Secretary, in con-
8 sultation with the Assistant Secretary of Labor for
9 Veterans' Employment and Training and the Sec-
10 retary of Veterans Affairs, shall establish a pilot
11 program under which veterans are employed by the
12 Federal Government in positions that relate to the
13 conservation and resource management activities of
14 the Department of the Interior.

15 (2) POSITIONS.—The Secretary shall—

16 (A) identify vacant positions in the De-
17 partment of the Interior that are appropriate to
18 fill using the pilot program; and

19 (B) to the extent practicable, fill such posi-
20 tions using the pilot program.

21 (3) APPLICATION OF CIVIL SERVICE LAWS.—A
22 veteran employed under the pilot program shall be
23 treated as an employee as defined by section 2105
24 of title 5, United States Code.

25 (4) BRIEFINGS AND REPORT.—

1 (A) INITIAL BRIEFING.—Not later than 60
2 days after the date of the enactment of this
3 title, the Secretary and the Assistant Secretary
4 of Labor for Veterans' Employment and Train-
5 ing shall jointly provide to the appropriate con-
6 gressional committees a briefing on the pilot
7 program under this subsection, which shall in-
8 clude—

9 (i) a description of how the pilot pro-
10 gram will be carried out in a manner to re-
11 duce the unemployment of veterans; and

12 (ii) any recommendations for legisla-
13 tive actions to improve the pilot program.

14 (B) IMPLEMENTATION BRIEFING.—Not
15 later than 1 year after the date on which the
16 pilot program under subsection (a) commences,
17 the Secretary and the Assistant Secretary of
18 Labor for Veterans' Employment and Training
19 shall jointly provide to the appropriate congres-
20 sional committees a briefing on the implementa-
21 tion of the pilot program.

22 (C) FINAL REPORT.—Not later than 30
23 days after the date on which the pilot program
24 under subsection (a) terminates under para-
25 graph (5), the Secretary and the Assistant Sec-

1 retary of Labor for Veterans’ Employment and
2 Training shall jointly submit to the appropriate
3 congressional committees a report on the pilot
4 program that includes the following:

5 (i) The number of veterans who ap-
6 plied to participate in the pilot program.

7 (ii) The number of such veterans em-
8 ployed under the pilot program.

9 (iii) The number of veterans identified
10 in clause (ii) who transitioned to full-time
11 positions with the Federal Government
12 after participating in the pilot program.

13 (iv) Any other information the Sec-
14 retary and the Assistant Secretary of
15 Labor for Veterans’ Employment and
16 Training determine appropriate with re-
17 spect to measuring the effectiveness of the
18 pilot program.

19 (5) DURATION.—The authority to carry out the
20 pilot program under this subsection shall terminate
21 on the date that is 2 years after the date on which
22 the pilot program commences.

23 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
24 FINED.—In this section, the term “appropriate congres-
25 sional committees” means—

1 (1) the Committee on Veterans' Affairs and the
2 Committee on Natural Resources of the House of
3 Representatives; and

4 (2) the Committee on Veterans' Affairs and the
5 Committee on Energy and Natural Resources of the
6 Senate.

7 (d) OUTDOOR RECREATION PROGRAM ATTEND-
8 ANCE.—Each Secretary of a military department is en-
9 couraged to allow members of the Armed Forces on active
10 duty status to participate in programs related to environ-
11 mental stewardship or guided outdoor recreation.

12 **Subtitle C—Youth Access**

13 **SEC. 231. INCREASING YOUTH RECREATION VISITS TO FED-** 14 **ERAL LAND.**

15 (a) STRATEGY.—Not later than 2 years after the date
16 of the enactment of this title, the Secretaries, acting joint-
17 ly, shall develop and make public a strategy to increase
18 the number of youth recreation visits to Federal rec-
19 reational lands and waters.

20 (b) REQUIREMENTS.—A strategy developed under
21 subsection (a)—

22 (1) shall—

23 (A) emphasize increased recreation oppor-
24 tunities on Federal recreational lands and
25 waters for underserved youth;

1 (B) establish objectives and quantifiable
2 targets for increasing youth recreation visits;
3 and

4 (C) provide the anticipated costs to achieve
5 the objectives and meet the targets established
6 under subparagraph (B); and

7 (2) shall not establish any preference between
8 similar recreation facilitated by noncommercial or
9 commercial entities.

10 (c) UPDATE TO STRATEGY.—Not later than 5 years
11 after the date of the publication of the strategy required
12 under subsection (a), and every 5 years thereafter, the
13 Secretaries shall update the strategy and make public the
14 update.

15 (d) AGREEMENTS.—The Secretaries may enter into
16 contracts or cost-share agreements (including contracts or
17 agreements for the acquisition of vehicles) to carry out
18 this section.

19 **SEC. 232. EVERY KID OUTDOORS ACT EXTENSION.**

20 Section 9001(b) of the John D. Dingell, Jr. Con-
21 servation, Management, and Recreation Act (Public Law
22 116–9) is amended—

23 (1) in paragraph (2)(B), by striking “during
24 the period beginning on September 1 and ending on
25 August 31 of the following year” and inserting “for

1 a 12-month period that begins on a date determined
2 by the Secretaries”; and

3 (2) in paragraph (5), by striking “the date that
4 is 7 years after the date of enactment of this Act”
5 and inserting “September 30, 2031”.

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) DEFINITIONS.—Section 802 of the Federal Lands
17 Recreation Enhancement Act (16 U.S.C. 6801) is amend-
18 ed—

19 (1) in the matter preceding paragraph (1), by
20 striking “this Act” and inserting “this title”;

21 (2) in paragraph (1), by striking “section 3(f)”
22 and inserting “section 803(f)”;

23 (3) in paragraph (2), by striking “section 3(g)”
24 and inserting “section 803(g)”;

1 (4) in paragraph (6), by striking “section 5”
2 and inserting “section 805”;

3 (5) in paragraph (9), by striking “section 5”
4 and inserting “section 805”;

5 (6) in paragraph (12), by striking “section 7”
6 and inserting “section 807”;

7 (7) in paragraph (13), by striking “section
8 3(h)” and inserting “section 803(h)(2)”;

9 (8) by redesignating paragraphs (1), (3), (4),
10 (5), (6), (7), (8), (9), (10), (11), and (13) as para-
11 graphs (15), (1), (3), (4), (5), (6), (7), (8), (11),
12 (10), and (14), respectively, and arranging the para-
13 graphs (as so redesignated) to appear in numerical
14 order;

15 (9) by inserting after paragraph (8) (as so re-
16 designated) the following:

17 “(9) RECREATION SERVICE PROVIDER.—The
18 term ‘recreation service provider’ means a person
19 that provides recreational services to the public
20 under a special recreation permit under clause (iii)
21 or (iv) of paragraph (13)(A).”;

22 (10) by inserting after paragraph (12) the fol-
23 lowing:

24 “(13) SPECIAL RECREATION PERMIT.—

1 “(A) IN GENERAL.—The term ‘special
2 recreation permit’ means a permit issued by a
3 Federal land management agency for the use of
4 Federal recreational lands and waters—

5 “(i) for a specialized recreational use
6 not described in clause (ii), (iii), or (iv),
7 such as—

8 “(I) an organizational camp;

9 “(II) a single event that does not
10 require an entry or participation fee
11 that is not strictly a sharing of ex-
12 penses for the purposes of the event;
13 and

14 “(III) participation by the public
15 in a recreation activity or recreation
16 use of a specific area of Federal rec-
17 reational lands and waters in which
18 use by the public is allocated;

19 “(ii) for a large-group activity or
20 event of 75 participants or more;

21 “(iii) for—

22 “(I) at the discretion of the Sec-
23 retary, a single organized group recre-
24 ation activity or event (including an
25 activity or event in which motorized

1 recreational vehicles are used or in
2 which outfitting and guiding services
3 are used) that—

4 “(aa) is a structured or
5 scheduled event or activity;

6 “(bb) is not competitive and
7 is for fewer than 75 participants;

8 “(cc) may charge an entry
9 or participation fee;

10 “(dd) involves fewer than
11 200 visitor-use days; and

12 “(ee) is undertaken or pro-
13 vided by the recreation service
14 provider at the same site not
15 more frequently than 3 times a
16 year;

17 “(II) a single competitive event;

18 or

19 “(III) at the discretion of the
20 Secretary, a recurring organized
21 group recreation activity (including an
22 outfitting and guiding activity) that—

23 “(aa) is a structured or
24 scheduled activity;

25 “(bb) is not competitive;

1 “(cc) may charge a partici-
2 pation fee;

3 “(dd) occurs in a group size
4 of fewer than 7 participants;

5 “(ee) involves fewer than 40
6 visitor-use days; and

7 “(ff) is undertaken or pro-
8 vided by the recreation service
9 provider for a term of not more
10 than 180 days; or

11 “(iv) for—

12 “(I) a recurring outfitting, guid-
13 ing, or, at the discretion of the Sec-
14 retary, other recreation service, the
15 authorization for which is for a term
16 of not more than 10 years; or

17 “(II) a recurring outfitting, guid-
18 ing, or, at the discretion of the Sec-
19 retary, other recreation service, that
20 occurs under a temporary special
21 recreation permit authorized under
22 section 316 of the EXPLORE Act.

23 “(B) EXCLUSIONS.—The term ‘special
24 recreation permit’ does not include—

1 “(i) a concession contract for the pro-
2 vision of accommodations, facilities, or
3 services;

4 “(ii) a commercial use authorization
5 issued under section 101925 of title 54,
6 United States Code; or

7 “(iii) any other type of permit, includ-
8 ing a special use permit administered by
9 the National Park Service.”; and

10 (11) by inserting at the end the following:

11 “(16) STATE.—The term ‘State’ means each of
12 the several States, the District of Columbia, and
13 each territory of the United States.”.

14 (b) 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, except
24 where otherwise prohibited by law.

25 “(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 TEM-
25 PORARY 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 or the United States Fish and Wild-
6 life Service for the provision of accom-
7 modations, facilities, or services; or

8 “(II) a commercial use authoriza-
9 tion or special use permit for use of
10 Federal recreational lands and waters
11 managed by the National Park Serv-
12 ice.

13 “(ii) COST RECOVERY.—Nothing in
14 this paragraph affects the ability of the
15 Secretary to recover any administrative
16 costs under section 320 of the EXPLORE
17 Act.

18 “(iii) SPECIAL RECREATION PERMIT
19 FEES AND OTHER RECREATION FEES.—
20 The collection of a special recreation per-
21 mit fee under this paragraph shall not af-
22 fect the authority of the Secretary to col-
23 lect an entrance fee, a standard amenity
24 recreation fee, or an expanded amenity

1 recreation fee authorized under subsections
2 (e), (f), and (g).

3 “(i) DISCLOSURE OF RECREATION FEES AND USE
4 OF RECREATION FEES.—

5 “(1) NOTICE OF ENTRANCE FEES, STANDARD
6 AMENITY RECREATION FEES, EXPANDED AMENITY
7 RECREATION FEES, AND AVAILABLE RECREATION
8 PASSES.—

9 “(A) IN GENERAL.—The Secretary shall
10 post clear notice of any entrance fee, standard
11 amenity recreation fee, expanded amenity recre-
12 ation fee, and available recreation passes—

13 “(i) at appropriate locations in each
14 unit or area of Federal recreational land
15 and waters at which an entrance fee,
16 standard amenity recreation fee, or ex-
17 panded amenity recreation fee is charged;
18 and

19 “(ii) on the appropriate website for
20 such unit or area.

21 “(B) PUBLICATIONS.—The Secretary shall
22 include in publications distributed at a unit or
23 area or described in subparagraph (A) the no-
24 tice described in that subparagraph.

1 “(2) NOTICE OF USES OF RECREATION FEES.—
2 Beginning on January 1, 2026, the Secretary shall
3 annually post, at the location at which a recreation
4 fee described in paragraph (1)(A) is collected, clear
5 notice of—

6 “(A) the total recreation fees collected dur-
7 ing each of the 2 preceding fiscal years at the
8 respective unit or area of the Federal land man-
9 agement agency; and

10 “(B) each use during the preceding fiscal
11 year of the applicable recreation fee or recre-
12 ation pass revenues collected under this section.

13 “(3) NOTICE OF RECREATION FEE PROJECTS.—
14 To the extent practicable, the Secretary shall post
15 clear notice at the location at which work is per-
16 formed using recreation fee and recreation pass rev-
17 enues collected under this section.

18 “(4) CENTRALIZED REPORTING ON AGENCY
19 WEBSITES.—

20 “(A) IN GENERAL.—Not later than Janu-
21 ary 1, 2025, and not later than 60 days after
22 the beginning of each fiscal year thereafter, the
23 Secretary shall post on the website of the appli-
24 cable Federal land management agency a
25 searchable list of each use during the preceding

1 fiscal year of the recreation fee or recreation
2 pass revenues collected under this section.

3 “(B) LIST COMPONENTS.—The list re-
4 quired under subparagraph (A) shall include,
5 with respect to each use described in that sub-
6 paragraph—

7 “(i) a title and description of the over-
8 all project;

9 “(ii) a title and description for each
10 component of the project;

11 “(iii) the location of the project; and

12 “(iv) the amount obligated for the
13 project.

14 “(5) NOTICE TO CUSTOMERS.—A recreation
15 service provider may inform a customer of the recre-
16 ation service provider of any fee charged by the Sec-
17 retary under this section.”.

18 (c) CONFORMING AMENDMENT.—Section 804 of the
19 Federal Lands Recreation Enhancement Act (16 U.S.C.
20 6803) is amended by striking subsection (e).

21 (d) USE OF SPECIAL RECREATION PERMIT REV-
22 ENUE.—Section 808 of the Federal Lands Recreation En-
23 hancement Act (16 U.S.C. 6807) is amended—

24 (1) by striking “this Act” each place it appears
25 and inserting “this title”;

1 (2) in subsection (a)(3)—

2 (A) in subparagraph (E), by striking
3 “and” at the end;

4 (B) in subparagraph (F), by striking “6(a)
5 or a visitor reservation service.” and inserting
6 “806(a) or a visitor reservation service;”; and

7 (C) by adding at the end the following:

8 “(G) the processing of special recreation
9 permit applications and administration of spe-
10 cial recreation permits; and

11 “(H) the improvement of the operation of
12 the special recreation permit program under
13 section 803(h).”; and

14 (3) in subsection (d)—

15 (A) in paragraph (1), by striking “section
16 5(a)(7)” and inserting “section 805(a)(7)”; and

17 (B) in paragraph (2), by striking “section
18 5(d)” and inserting “section 805(d)”.

19 (e) REAUTHORIZATION.—Section 810 of the Federal
20 Lands Recreation Enhancement Act (16 U.S.C. 6809) is
21 amended by striking “2019” and inserting “2031”.

22 **SEC. 312. PERMITTING PROCESS IMPROVEMENTS.**

23 (a) IN GENERAL.—To simplify the process of the
24 issuance and or reissuance of special recreation permits
25 and reduce the cost of administering special recreation

1 permits under section 803(h) of the Federal Lands Recre-
2 ation Enhancement Act (16 U.S.C. 6802) (as amended
3 by this title), the Secretaries shall each—

4 (1) during the period beginning on January 1,
5 2021, and ending on January 1, 2025—

6 (A) evaluate the process for issuing special
7 recreation permits; and

8 (B) based on the evaluation under sub-
9 paragraph (A), identify opportunities to—

10 (i) eliminate duplicative processes with
11 respect to issuing special recreation per-
12 mits;

13 (ii) reduce costs for the issuance of
14 special recreation permits;

15 (iii) decrease processing times for spe-
16 cial recreation permits; and

17 (iv) issue simplified special recreation
18 permits, including special recreation per-
19 mits for an organized group recreation ac-
20 tivity or event under subsection (e); and

21 (2) not later than 1 year after the date on
22 which the Secretaries complete their respective eval-
23 uation and identification processes under paragraph
24 (1), revise, as necessary, relevant agency regulations
25 and guidance documents, including regulations and

1 guidance documents relating to the environmental
2 review process, for special recreation permits to im-
3 plement the improvements identified under para-
4 graph (1)(B).

5 (b) ENVIRONMENTAL REVIEWS.—

6 (1) IN GENERAL.—The Secretary concerned
7 shall, to the maximum extent practicable, utilize
8 available tools, including tiering to existing pro-
9 grammatic reviews, as appropriate, to facilitate an
10 effective and efficient environmental review process
11 for activities undertaken by the Secretary concerned
12 relating to the issuance of special recreation permits.

13 (2) CATEGORICAL EXCLUSIONS.—Not later
14 than 2 years after the date of the enactment of this
15 title, the Secretary concerned shall—

16 (A) evaluate whether existing categorical
17 exclusions available to the Secretary concerned
18 on the date of the enactment of this title are
19 consistent with the provisions of this title;

20 (B) evaluate whether a modification of an
21 existing categorical exclusion or the establish-
22 ment of 1 or more new categorical exclusions
23 developed in compliance with the National Envi-
24 ronmental Policy Act of 1969 (42 U.S.C. 4321
25 et seq.) is necessary to undertake an activity

1 described in paragraph (1) in a manner con-
2 sistent with the authorities and requirements in
3 this title; and

4 (C) revise relevant agency regulations and
5 policy statements and guidance documents, as
6 necessary, to modify existing categorical exclu-
7 sions or incorporate new categorical exclusions
8 based on evaluations conducted under this para-
9 graph.

10 (c) NEEDS ASSESSMENTS.—Except as required
11 under subsection (c) or (d) of section 4 of the Wilderness
12 Act (16 U.S.C. 1133), the Secretary concerned shall not
13 conduct a needs assessment as a condition of issuing a
14 special recreation permit under section 803(h) of the Fed-
15 eral Lands Recreation Enhancement Act (16 U.S.C.
16 6802) (as amended by this title).

17 (d) ONLINE APPLICATIONS.—Not later than 3 years
18 after the date of the enactment of this title, the Secre-
19 taries shall make the application for a special recreation
20 permit under section 803(h) of the Federal Lands Recre-
21 ation Enhancement Act (16 U.S.C. 6802) (as amended
22 by this title), including a reissuance of a special recreation
23 permit under that section, available for completion and
24 submission—

25 (1) online;

1 (2) by mail or electronic mail; and

2 (3) in person at the field office for the applica-
3 ble Federal recreational lands and waters.

4 (e) SPECIAL RECREATION PERMITS FOR AN ORGA-
5 NIZED GROUP RECREATION ACTIVITY OR EVENT.—

6 (1) DEFINITIONS.—In this subsection:

7 (A) SPECIAL RECREATION PERMIT FOR AN
8 ORGANIZED GROUP RECREATION ACTIVITY OR
9 EVENT.—The term “special recreation permit
10 for an organized group recreation activity or
11 event” means a special recreation permit de-
12 scribed in subclause (I) or (III) of paragraph
13 (13)(A)(iii) of section 802 of the Federal Lands
14 Recreation Enhancement Act (16 U.S.C. 6801)
15 (as amended by this title).

16 (B) YOUTH GROUP.—The term “youth
17 group” means a recreation service provider that
18 predominantly serves individuals not older than
19 25 years of age.

20 (2) EXEMPTION FROM CERTAIN ALLOCATIONS
21 OF USE.—If the Secretary concerned allocates vis-
22 itor-use days available for an area or activity on
23 Federal recreational lands and waters among recre-
24 ation service providers that hold a permit described
25 in paragraph (13)(A)(iv) of section 802 of the Fed-

1 eral Lands Recreation Enhancement Act (16 U.S.C.
2 6801) (as amended by this title), a special recreation
3 permit for an organized group recreation activity or
4 event shall not be subject to that allocation of vis-
5 itor-use days.

6 (3) ISSUANCE.—In accordance with paragraphs
7 (5) and (6), if use by the general public is not sub-
8 ject to a limited entry permit system and if capacity
9 is available for the times or days in which the pro-
10 posed activity or event would be undertaken, on re-
11 quest of a recreation service provider (including a
12 youth group) to conduct an organized group recre-
13 ation activity or event described in subclause (I) or
14 (III) of paragraph (13)(A)(iii) of section 802 of the
15 Federal Lands Recreation Enhancement Act (16
16 U.S.C. 6801) (as amended by this title), the Sec-
17 retary concerned—

18 (A) shall make a nominal effects deter-
19 mination to determine whether the proposed ac-
20 tivity or event would have more than nominal
21 effects on Federal recreational lands and
22 waters, resources, and programs; and

23 (B)(i) shall not require a recreation service
24 provider (including a youth group) to obtain a
25 special recreation permit for an organized group

1 recreation activity or event if the Secretary con-
2 cerned determines—

3 (I) the proposed activity or event to
4 be undertaken would have only nominal ef-
5 fects on Federal recreational lands and
6 waters, resources, and programs; and

7 (II) establishing additional terms and
8 conditions for the proposed activity or
9 event is not necessary to protect or avoid
10 conflict on or with Federal recreational
11 lands and waters, resources, and programs;

12 (ii) in the case of an organized group
13 recreation activity or event described in section
14 802(13)(A)(iii)(I) of that Act, may issue to a
15 recreation service provider (including a youth
16 group) a special recreation permit for an orga-
17 nized group recreation activity or event, subject
18 to any terms and conditions as are determined
19 to be appropriate by the Secretary concerned, if
20 the Secretary concerned determines—

21 (I) the proposed activity or event to
22 be undertaken would have only nominal ef-
23 fects on Federal recreational lands and
24 waters, resources, and programs; and

1 (II) establishing additional terms and
2 conditions for the proposed activity or
3 event is necessary to protect or avoid con-
4 flict on or with Federal recreational lands
5 and waters, resources, and programs;

6 (iii) in the case of an organized group
7 recreation activity or event described in section
8 802(13)(A)(iii)(III) of that Act, shall issue to a
9 recreation service provider (including a youth
10 group) a special recreation permit for an orga-
11 nized group recreation activity or event, subject
12 to such terms and conditions determined to be
13 appropriate by the Secretary concerned, if the
14 Secretary concerned determines—

15 (I) the proposed activity or event to
16 be undertaken would have only nominal ef-
17 fects on Federal recreational lands and
18 waters, resources, and programs; and

19 (II) establishing additional terms and
20 conditions for the proposed activity or
21 event is necessary to protect or avoid con-
22 flict on or with Federal recreational lands
23 and waters, resources, and programs; and

24 (iv) may issue to a recreation service pro-
25 vider (including a youth group) a special recre-

1 ation permit for an organized group recreation
2 activity or event, subject to any terms and con-
3 ditions determined to be appropriate by the
4 Secretary concerned, if the Secretary concerned
5 determines—

6 (I) the proposed activity or event to
7 be undertaken may have more than nomi-
8 nal effects on Federal recreational lands
9 and waters, resources, and programs; and

10 (II) establishing additional terms and
11 conditions for the proposed activity or
12 event would be necessary to protect or
13 avoid conflict on or with Federal rec-
14 reational lands and waters, resources, and
15 programs.

16 (4) FEES.—The Secretary concerned may elect
17 not to charge a fee to a recreation service provider
18 (including a youth group) for a special recreation
19 permit for an organized group recreation activity or
20 event.

21 (5) SAVINGS CLAUSE.—Nothing in this sub-
22 section prevents the Secretary concerned from lim-
23 iting or abating the allowance of a proposed activity
24 or event under paragraph (3)(B)(i) or the issuance
25 of a special recreation permit for an organized group

1 recreation activity or event, based on resource condi-
2 tions, administrative burdens, or safety issues.

3 (6) QUALIFICATIONS.—A special recreation per-
4 mit for an organized group recreation activity or
5 event issued under paragraph (3) shall be subject to
6 the health and safety standards required by the Sec-
7 retary concerned for a permit issued under para-
8 graph (13)(A)(iv) of section 802 of the Federal
9 Lands Recreation Enhancement Act (16 U.S.C.
10 6801) (as amended by this title).

11 **SEC. 313. PERMIT FLEXIBILITY.**

12 (a) IN GENERAL.—The Secretary concerned shall es-
13 tablish guidelines to allow a holder of a special recreation
14 permit under subsection (h) of section 803 of the Federal
15 Lands Recreation Enhancement Act (16 U.S.C. 6802) (as
16 amended by this title), to engage in another recreational
17 activity under the special recreation permit that is sub-
18 stantially similar to the specific activity authorized under
19 the special recreation permit.

20 (b) CRITERIA.—For the purposes of this section, a
21 recreational activity shall be considered to be a substan-
22 tially similar recreational activity if the recreational activ-
23 ity—

1 (1) is comparable in type, nature, scope, and
2 ecological setting to the specific activity authorized
3 under the special recreation permit;

4 (2) does not result in a greater impact on nat-
5 ural and cultural resources than the impact of the
6 authorized activity;

7 (3) does not adversely affect—

8 (A) any other holder of a special recreation
9 permit or other permit; or

10 (B) any other authorized use of the Fed-
11 eral recreational lands and waters; and

12 (4) is consistent with—

13 (A) any applicable laws (including regula-
14 tions); and

15 (B) the land management plan, resource
16 management plan, or equivalent plan applicable
17 to the Federal recreational lands and waters.

18 (c) SURRENDER OF UNUSED VISITOR-USE DAYS.—

19 (1) IN GENERAL.—A recreation service provider
20 holding a special recreation permit described in
21 paragraph (13)(A)(iv) of section 802 of the Federal
22 Lands Recreation Enhancement Act (16 U.S.C.
23 6801) (as amended by this title) may—

24 (A) notify the Secretary concerned of an
25 inability to use visitor-use days annually allo-

1 cated to the recreation service provider under
2 the special recreation permit; and

3 (B) surrender to the Secretary concerned
4 the unused visitor-use days for the applicable
5 year for temporary reassignment under section
6 318(b).

7 (2) DETERMINATION.—To ensure a recreation
8 service provider described in paragraph (1) is able to
9 make an informed decision before surrendering any
10 unused visitor-use day under paragraph (1)(B), the
11 Secretary concerned shall, on the request of the ap-
12 plicable recreation service provider, determine and
13 notify the recreation service provider whether the
14 unused visitor-use day meets the requirement de-
15 scribed in section 317(b)(3)(B) before the recreation
16 service provider surrenders the unused visitor-use
17 day.

18 (d) EFFECT.—Nothing in this section affects any au-
19 thority of, regulation issued by, or decision of the Sec-
20 retary concerned relating to the use of electric bicycles on
21 Federal recreational lands and waters under any other
22 Federal law.

23 **SEC. 314. PERMIT ADMINISTRATION.**

24 (a) PERMIT AVAILABILITY.—

1 (1) NOTIFICATIONS OF PERMIT AVAIL-
2 ABILITY.—

3 (A) IN GENERAL.—Except as provided in
4 subparagraph (B), in an area of Federal rec-
5 reational lands and waters in which use by
6 recreation service providers is allocated, if the
7 Secretary concerned determines that visitor-use
8 days are available for allocation to recreation
9 service providers or holders of a commercial use
10 authorization for outfitting and guiding, the
11 Secretary concerned shall publish that informa-
12 tion on the website of the agency that admin-
13 isters the applicable area of Federal rec-
14 reational lands and waters.

15 (B) EFFECT.—Nothing in this para-
16 graph—

17 (i) applies to—

18 (I) the reissuance of an existing
19 special recreation permit or commer-
20 cial use authorization for outfitting
21 and guiding; or

22 (II) the issuance of a new special
23 recreation permit or new commercial
24 use authorization for outfitting and
25 guiding issued to the purchaser of—

1 (aa) a recreation service pro-
2 vider that is the holder of an ex-
3 isting special recreation permit;
4 or

5 (bb) a holder of an existing
6 commercial use authorization for
7 outfitting and guiding; or

8 (ii) creates a prerequisite to the
9 issuance of a special recreation permit or
10 commercial use authorization for outfitting
11 and guiding or otherwise limits the author-
12 ity of the Secretary concerned—

13 (I) to issue a new special recre-
14 ation permit or new commercial use
15 authorization for outfitting and guid-
16 ing; or

17 (II) to add a new or additional
18 use to an existing special recreation
19 permit or an existing commercial use
20 authorization for outfitting and guid-
21 ing.

22 (2) UPDATES.—The Secretary concerned shall
23 ensure that information published on the website
24 under this subsection is consistently updated to pro-
25 vide current and correct information to the public.

1 (3) ELECTRONIC MAIL NOTIFICATIONS.—The
2 Secretary concerned shall establish a system by
3 which potential applicants for special recreation per-
4 mits or commercial use authorizations for outfitting
5 and guiding may subscribe to receive notification by
6 electronic mail of the availability of special recre-
7 ation permits under section 803(h)(1) of the Federal
8 Lands Recreation Enhancement Act (16 U.S.C.
9 6802) (as amended by this title) or commercial use
10 authorizations for outfitting and guiding.

11 (b) PERMIT APPLICATION OR PROPOSAL ACKNOWLEDGMENT.—Not later than 60 days after the date on
12 which the Secretary concerned receives a completed appli-
13 cation or a complete proposal for a special recreation per-
14 mit under section 803(h)(1) of the Federal Lands Recre-
15 ation Enhancement Act (16 U.S.C. 6802) (as amended
16 by this title), the Secretary concerned shall—

18 (1) provide to the applicant notice acknowl-
19 edging receipt of the application or proposal; and

20 (2)(A) issue a final decision with respect to the
21 application or proposal; or

22 (B) provide to the applicant notice of a pro-
23 jected date for a final decision on the application or
24 proposal.

1 (c) EFFECT.—Nothing in this section applies to a
2 concession contract issued by the National Park Service
3 for the provision of accommodations, facilities, or services.

4 **SEC. 315. SERVICE FIRST INITIATIVE; PERMITS FOR MULTI-**
5 **JURISDICTIONAL TRIPS.**

6 (a) REPEAL.—Section 330 of the Department of the
7 Interior and Related Agencies Appropriations Act, 2001
8 (43 U.S.C. 1703), is repealed.

9 (b) COOPERATIVE ACTION AND SHARING OF RE-
10 SOURCES BY THE SECRETARIES OF THE INTERIOR AND
11 AGRICULTURE.—

12 (1) IN GENERAL.—For fiscal year 2024, and
13 each fiscal year thereafter, the Secretaries may carry
14 out an initiative, to be known as the “Service First
15 Initiative”, under which the Secretaries, or Federal
16 land management agencies within their departments,
17 may—

18 (A) establish programs to conduct projects,
19 planning, permitting, leasing, contracting, and
20 other activities, either jointly or on behalf of
21 one another;

22 (B) co-locate in Federal offices and facili-
23 ties leased by an agency of the Department of
24 the Interior or the Department of Agriculture;
25 and

1 (C) issue rules to test the feasibility of
2 issuing unified permits, applications, and leases,
3 subject to the limitations in this section.

4 (2) DELEGATIONS OF AUTHORITY.—The Secre-
5 taries may make reciprocal delegations of the respec-
6 tive authorities, duties, and responsibilities of the
7 Secretaries in support of the Service First Initiative
8 agency-wide to promote customer service and effi-
9 ciency.

10 (3) EFFECT.—Nothing in this section alters,
11 expands, or limits the applicability of any law (in-
12 cluding regulations) to land administered by the Bu-
13 reau of Land Management, National Park Service,
14 United States Fish and Wildlife Service, or the For-
15 est Service or matters under the jurisdiction of any
16 other bureaus or offices of the Department of the
17 Interior or the Department of Agriculture, as appli-
18 cable.

19 (4) TRANSFERS OF FUNDING.—Subject to the
20 availability of appropriations and to facilitate the
21 sharing of resources under the Service First Initia-
22 tive, the Secretaries are authorized to mutually
23 transfer funds between, or reimburse amounts ex-
24 pended from, appropriate accounts of either Depart-
25 ment on an annual basis, including transfers and re-

1 imbursements for multiyear projects, except that
2 this authority may not be used in a manner that cir-
3 cumvents requirements or limitations imposed on the
4 use of any of the funds so transferred or reim-
5 bursed.

6 (5) REPORT.—The Secretaries shall submit an
7 annual report to the Committee on Natural Re-
8 sources of the House of Representatives and the
9 Committee on Energy and Natural Resources of the
10 Senate describing the activities undertaken as part
11 of the Service First Initiative in the prior year.

12 (c) PILOT PROGRAM FOR SPECIAL RECREATION PER-
13 MITS FOR MULTIJURISDICTIONAL TRIPS.—

14 (1) IN GENERAL.—Not later than 2 years after
15 the date of the enactment of this title, the Secre-
16 taries shall establish a pilot program to offer to a
17 person seeking an authorization for a multijuris-
18 dictional trip a set of separate special recreation per-
19 mits or commercial use authorizations that author-
20 izes the use of each unit of Federal recreational
21 lands and waters on which the multijurisdictional
22 trip occurs, subject to the authorities that apply to
23 the applicable unit of Federal recreational lands and
24 waters.

1 (2) MINIMUM NUMBER OF PERMITS.—Not later
2 than 4 years after the date of the enactment of this
3 title, the Secretaries shall issue not fewer than 10
4 sets of separate special recreation permits described
5 in paragraph (13)(A)(iv) of section 802 of the Fed-
6 eral Lands Recreation Enhancement Act (16 U.S.C.
7 6801) (as amended by this title) or commercial use
8 authorizations under the pilot program established
9 under paragraph (1).

10 (3) LEAD AGENCIES.—In carrying out the pilot
11 program established under paragraph (1), the Secre-
12 taries shall—

13 (A) designate a lead agency for issuing and
14 administering a set of separate special recre-
15 ation permits or commercial use authorizations;
16 and

17 (B) select not fewer than 4 offices at which
18 a person shall be able to apply for a set of sepa-
19 rate special recreation permits or commercial
20 use authorizations, of which—

21 (i) not fewer than 2 offices are man-
22 aged by the Secretary; and

23 (ii) not fewer than 2 offices are man-
24 aged by the Secretary of Agriculture, act-

1 ing through the Chief of the Forest Serv-
2 ice.

3 (4) RETENTION OF AUTHORITY BY THE APPLI-
4 CABLE SECRETARY.—Each of the Secretaries shall
5 retain the authority to enforce the terms, stipula-
6 tions, conditions, and agreements in a set of sepa-
7 rate special recreation permits or commercial use au-
8 thorizations issued under the pilot program estab-
9 lished under paragraph (1) that apply specifically to
10 the use occurring on the Federal recreational lands
11 and waters managed by the applicable Secretary,
12 under the authorities that apply to the applicable
13 Federal recreational lands and waters.

14 (5) OPTION TO APPLY FOR SEPARATE SPECIAL
15 RECREATION PERMITS OR COMMERCIAL USE AU-
16 THORIZATIONS.—A person seeking the appropriate
17 permits or authorizations for a multijurisdictional
18 trip may apply for—

19 (A) a separate special recreation permit or
20 commercial use authorization for the use of
21 each unit of Federal recreational lands and
22 waters on which the multijurisdictional trip oc-
23 curs; or

24 (B) a set of separate special recreational
25 permits or commercial use authorizations made

1 available under the pilot program established
2 under paragraph (1).

3 (6) EFFECT.—Nothing in this subsection ap-
4 plies to a concession contract issued by the National
5 Park Service for the provision of accommodations,
6 facilities, or services.

7 **SEC. 316. FOREST SERVICE AND BUREAU OF LAND MAN-**
8 **AGEMENT TEMPORARY SPECIAL RECRE-**
9 **ATION PERMITS FOR OUTFITTING AND GUID-**
10 **ING.**

11 (a) IN GENERAL.—Not later than 180 days after the
12 date of enactment of this title, the Secretary concerned
13 shall establish and implement a program to authorize the
14 issuance of temporary special recreation permits for new
15 or additional recreational uses of Federal recreational land
16 and water managed by the Forest Service and the Bureau
17 of Land Management.

18 (b) TERM OF TEMPORARY PERMITS.—A temporary
19 special recreation permit issued under paragraph (1) shall
20 be issued for a period of not more than 2 years.

21 (c) CONVERSION TO LONG-TERM PERMIT.—If the
22 Secretary concerned determines that a permittee under
23 paragraph (1) has completed 2 years of satisfactory oper-
24 ation under the permit proposed to be converted, the Sec-
25 retary may provide for the conversion of a temporary spe-

1 cial recreation permit issued under paragraph (1) to a
2 long-term special recreation permit.

3 (d) EFFECT.—Nothing in this subsection alters or af-
4 fects the authority of the Secretary to issue a special
5 recreation permit under subsection (h)(1) of section 803
6 of the Federal Lands Recreation Enhancement Act (16
7 U.S.C. 6802) (as amended by this title).

8 **SEC. 317. REVIEWS FOR LONG-TERM PERMITS.**

9 (a) MONITORING.—The Secretary concerned shall
10 monitor each recreation service provider issued a special
11 recreation permit for compliance with the terms of the per-
12 mit—

13 (1) not less than annually or as frequently as
14 needed (as determined by the Secretary concerned),
15 in the case of a temporary special recreation permit
16 for outfitting and guiding issued under section 316;
17 and

18 (2) not less than once every 2 years or as fre-
19 quently as needed (as determined by the Secretary
20 concerned), in the case of a special recreation permit
21 described in paragraph (13)(A)(iv)(I) of section 802
22 of the Federal Lands Recreation Enhancement Act
23 (16 U.S.C. 6801) (as amended by this title) that is
24 issued for a term of not more than 10 years.

25 (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 under a long-term special recreation permit
10 described in paragraph (13)(A)(iv)(I) of section 802
11 of the Federal Lands Recreation Enhancement Act
12 (16 U.S.C. 6801) (as amended by this title), once
13 every 5 years.

14 (2) REQUIREMENTS OF THE REVIEW.—In con-
15 ducting a review under paragraph (1), the Secretary
16 concerned shall determine—

17 (A) the number of visitor-use days that the
18 recreation service provider used each year under
19 the special recreation permit, in accordance
20 with paragraph (3); and

21 (B) the year in which the recreation serv-
22 ice provider used the most visitor-use days
23 under the special recreation permit.

24 (3) CONSIDERATION OF SURRENDERED, UN-
25 USED VISITOR-USE DAYS.—For the purposes of de-

1 termining the number of visitor-use days a recre-
2 ation service provider used in a specified year under
3 paragraph (2)(A), the Secretary of Agriculture, act-
4 ing through the Chief of the Forest Service, and the
5 Secretary, as applicable, shall consider an unused
6 visitor-use day that has been surrendered under sec-
7 tion 313(c)(1)(B) as—

8 (A) 1/2 of a visitor-use day used; or

9 (B) 1 visitor-use day used, if the Secretary
10 concerned determines the use of the allocated
11 visitor-use day had been or will be prevented by
12 a circumstance beyond the control of the recre-
13 ation service provider.

14 **SEC. 318. ADJUSTMENT OF ALLOCATED VISITOR-USE DAYS.**

15 (a) **ADJUSTMENTS FOLLOWING USE OF ALLOCATION**

16 **REVIEWS.**—On the completion of a use-of-allocation re-
17 view conducted under section 317(b) for a special recre-
18 ation permit described in paragraph (13)(A)(iv)(I) of sec-
19 tion 802 of the Federal Lands Recreation Enhancement
20 Act (16 U.S.C. 6801) (as amended by this title), the Sec-
21 retary of Agriculture, acting through the Chief of the For-
22 est Service, or the Secretary, as applicable, shall adjust
23 the number of visitor-use days allocated to a recreation
24 service provider under the special recreation permit as fol-
25 lows:

1 (1) If the Secretary concerned determines that
2 the performance of the recreation service provider
3 was satisfactory during the most recent review con-
4 ducted under subsection (a) of section 317, the an-
5 nual number of visitor-use days allocated for each
6 remaining year of the permit shall be equal to 125
7 percent of the number of visitor-use days used, as
8 determined under subsection (b)(2)(A) of that sec-
9 tion, during the year identified under subsection
10 (b)(2)(B) of that section, not to exceed the level allo-
11 cated to the recreation service provider on the date
12 on which the special recreation permit was issued.

13 (2) If the Secretary concerned determines the
14 performance of the recreation service provider is less
15 than satisfactory during the most recent perform-
16 ance review conducted under subsection (a) of sec-
17 tion 317, the annual number of visitor-use days allo-
18 cated for each remaining year of the special recre-
19 ation permit shall be equal to not more than 100
20 percent of the number of visitor-use days used, as
21 determined under subsection (b)(2)(A) of that sec-
22 tion during the year identified under subsection
23 (b)(2)(B) of that section.

24 (b) TEMPORARY REASSIGNMENT OF UNUSED VIS-
25 ITOR-USE DAYS.—The Secretary concerned may tempo-

1 rarely assign unused visitor-use days, made available under
2 section 313(c)(1)(B), to—

3 (1) any other existing or potential recreation
4 service provider, notwithstanding the number of vis-
5 itor-use days allocated to the special recreation per-
6 mit holder under the special recreation permit held
7 or to be held by the recreation service provider; or

8 (2) any existing or potential holder of a special
9 recreation permit described in clause (i) or (iii) of
10 paragraph (13)(A) of section 802 of the Federal
11 Lands Recreation Enhancement Act (16 U.S.C.
12 6801) (as amended by this title), including the pub-
13 lic.

14 (c) **ADDITIONAL CAPACITY.**—If unallocated visitor-
15 use days are available, the Secretary concerned may, at
16 any time, amend a special recreation permit to allocate
17 additional visitor-use days to a qualified recreation service
18 provider.

19 **SEC. 319. LIABILITY.**

20 (a) **INSURANCE REQUIREMENTS.**—

21 (1) **IN GENERAL.**—Except as provided in para-
22 graph (2), as a condition of issuing a special recre-
23 ation permit under subsection (h)(1)(B) of section
24 803 of the Federal Lands Recreation Enhancement
25 Act (16 U.S.C. 6802) (as amended by this title) or

1 a commercial use authorization, the Secretary con-
2 cerned may require the holder of the special recre-
3 ation permit or commercial use authorization to have
4 a commercial general liability insurance policy
5 that—

6 (A) is commensurate with the level of risk
7 of the activities to be conducted under the spe-
8 cial recreation permit or commercial use au-
9 thorization; and

10 (B) includes the United States as an addi-
11 tional insured in an endorsement to the applica-
12 ble policy.

13 (2) EXCEPTION.—The Secretary concerned
14 shall not require a holder of a special recreation per-
15 mit or commercial use authorization for low-risk ac-
16 tivities, as determined by the Secretary concerned,
17 including commemorative ceremonies and participa-
18 tion by the public in a recreation activity or recre-
19 ation use of a specific area of Federal recreational
20 lands and waters in which use by the public is allo-
21 cated, to comply with the requirements of paragraph
22 (1).

23 (b) INDEMNIFICATION BY GOVERNMENTAL ENTI-
24 TIES.—The Secretary concerned shall not require a State,
25 State agency, State institution, or political subdivision of

1 a State to indemnify the United States for tort liability
2 as a condition for issuing a special recreation permit or
3 commercial use authorization to the extent the State,
4 State agency, State institution, or political subdivision of
5 a State is precluded by State law from providing indem-
6 nification to the United States for tort liability, if the
7 State, State agency, State institution, or political subdivi-
8 sion of the State maintains the minimum amount of liabil-
9 ity insurance coverage required by the Federal land man-
10 agement agency for the activities conducted under the spe-
11 cial recreation permit or commercial use authorization in
12 the form of—

13 (1) a commercial general liability insurance poli-
14 icy, which includes the United States as an addi-
15 tional insured in an endorsement to the policy, if the
16 State is authorized to obtain commercial general li-
17 ability insurance by State law;

18 (2) self-insurance, which covers the United
19 States as an additional insured, if authorized by
20 State law; or

21 (3) a combination of the coverage described in
22 paragraphs (1) and (2).

23 (c) EXCULPATORY AGREEMENTS.—

24 (1) IN GENERAL.—Except as provided in para-
25 graph (2), a Federal land management agency shall

1 not implement, administer, or enforce any regula-
2 tion, guidance, or policy prohibiting the use of an ex-
3 culpatory agreement between a recreation service
4 provider or a holder of a commercial use authoriza-
5 tion and a customer relating to services provided
6 under a special recreation permit or a commercial
7 use authorization.

8 (2) REQUIREMENTS.—Any exculpatory agree-
9 ment used by a recreation service provider or holder
10 of a commercial use authorization for an activity au-
11 thorized under a special recreation permit or com-
12 mercial use authorization—

13 (A) shall shield the United States from any
14 liability, if otherwise allowable under Federal
15 law; and

16 (B) shall not waive any liability of the
17 recreation service provider or holder of the com-
18 mercial use authorization that may not be
19 waived under the laws (including common law)
20 of the applicable State or for gross negligence,
21 recklessness, or willful misconduct.

22 (3) CONSISTENCY.—Not later than 2 years
23 after the date of the enactment of this title, the Sec-
24 retaries shall—

1 (A) review the policies of the Secretaries
2 pertaining to the use of exculpatory agreements
3 by recreation service providers and holders of
4 commercial use authorizations; and

5 (B) revise any policy described in subpara-
6 graph (A) as necessary to make the policies of
7 the Secretaries pertaining to the use of excul-
8 patory agreements by recreation service pro-
9 viders and holders of commercial use authoriza-
10 tions consistent with this subsection and across
11 all Federal recreational lands and waters.

12 (d) EFFECT.—Nothing in this section applies to a
13 concession contract issued by the National Park Service
14 for the provision of accommodations, facilities, or services.

15 **SEC. 320. COST RECOVERY REFORM.**

16 (a) COST RECOVERY FOR SPECIAL RECREATION
17 PERMITS.—In addition to a fee collected under section
18 803 of the Federal Lands Recreation Enhancement Act
19 (16 U.S.C. 6802) or any other authorized fee collected by
20 the Secretary concerned, the Secretary concerned may as-
21 sess and collect a reasonable fee from an applicant for,
22 or holder of, a special recreation permit to recover admin-
23 istrative costs incurred by the Secretary concerned for—

24 (1) processing a proposal or application for the
25 special recreation permit;

1 (2) issuing the special recreation permit; and

2 (3) monitoring the special recreation permit to
3 ensure compliance with the terms and conditions of
4 the special recreation permit.

5 (b) DE MINIMIS EXEMPTION FROM COST RECOV-
6 ERY.—If the administrative costs described in subsection
7 (a) are assessed on an hourly basis, the Secretary con-
8 cerned shall—

9 (1) establish an hourly de minimis threshold
10 that exempts a specified number of hours from the
11 assessment and collection of administrative costs de-
12 scribed in subsection (a); and

13 (2) charge an applicant only for any hours that
14 exceed the de minimis threshold.

15 (c) MULTIPLE APPLICATIONS.—If the Secretary con-
16 cerned collectively processes multiple applications for spe-
17 cial recreation permits for the same or similar services in
18 the same unit of Federal recreational lands and waters,
19 the Secretary concerned shall, to the extent practicable—

20 (1) assess from the applicants the fee described
21 in subsection (a) on a prorated basis; and

22 (2) apply the exemption described in subsection
23 (b) to each applicant on an individual basis.

1 (d) LIMITATION.—The Secretary concerned shall not
2 assess or collect administrative costs under this section for
3 a programmatic environmental review.

4 (e) COST REDUCTION.—To the maximum extent
5 practicable, the agency processing an application for a spe-
6 cial recreation permit shall use existing studies and anal-
7 ysis to reduce the quantity of work and costs necessary
8 to process the application.

9 **SEC. 321. AVAILABILITY OF FEDERAL, STATE, AND LOCAL**
10 **RECREATION PASSES.**

11 (a) IN GENERAL.—The Federal Lands Recreation
12 Enhancement Act is amended by inserting after section
13 805 (16 U.S.C. 6804) the following:

14 **“SEC. 805A. AVAILABILITY OF FEDERAL, STATE, AND LOCAL**
15 **RECREATION PASSES.**

16 “(a) ESTABLISHMENT OF PROGRAM.—

17 “(1) IN GENERAL.—To improve the availability
18 of Federal, State, and local outdoor recreation
19 passes, the Secretaries are encouraged to coordinate
20 with States and counties regarding the availability of
21 Federal, State, and local recreation passes to allow
22 a purchaser to buy a Federal recreation pass, State
23 recreation pass, and local recreation pass in a single
24 transaction.

1 “(2) INCLUDED PASSES.—Passes covered by
2 the program established under paragraph (1) in-
3 clude—

4 “(A) an America the Beautiful—the Na-
5 tional Parks and Federal Recreational Lands
6 Pass under section 805; and

7 “(B) any pass covering any fees charged
8 by participating States and counties for en-
9 trance and recreational use of parks and public
10 land in the participating States.

11 “(b) AGREEMENTS WITH STATES AND COUNTIES.—

12 “(1) IN GENERAL.—The Secretaries, after con-
13 sultation with the States and counties, may enter
14 into agreements with States and counties to coordi-
15 nate the availability of passes as described in sub-
16 section (a).

17 “(2) REVENUE FROM PASS SALES.—Agree-
18 ments between the Secretaries, States, and counties
19 entered into pursuant to this section shall ensure
20 that—

21 “(A) funds from the sale of State or local
22 passes are transferred to the appropriate State
23 agency or county government;

1 “(I) an entrance fee or a stand-
2 ard amenity recreation fee is charged;
3 and

4 “(II) such sales or distribution of
5 the Pass is feasible;

6 “(ii) at such other locations as the
7 Secretaries consider appropriate and fea-
8 sible; and

9 “(iii) through a prominent link to a
10 centralized pass sale system on the website
11 of each of the Federal land management
12 agencies and the websites of the relevant
13 units and subunits of those agencies, which
14 shall include information about where and
15 when a National Parks and Federal Rec-
16 reational Lands Pass may be used.”.

17 (b) DIGITAL VERSION OF THE AMERICA THE BEAU-
18 TIFUL—THE NATIONAL PARKS AND FEDERAL RECRE-
19 ATION LANDS PASS.—Section 805(a) of the Federal
20 Lands Recreation Enhancement Act (16 U.S.C. 6804(a))
21 is amended by adding at the end the following:

22 “(10) DIGITAL RECREATION PASSES.—Not
23 later than January 1, 2026, the Secretaries shall—

24 “(A) establish a digital version of the Na-
25 tional Parks and Federal Recreational Lands

1 Pass that is able to be stored on a mobile de-
2 vice, including with respect to free and dis-
3 counted passes; and

4 “(B) upon completion of a transaction for
5 a National Parks and Federal Recreational
6 Lands Pass, make immediately available to the
7 passholder a digital version of the National
8 Parks and Federal Recreational Lands Pass es-
9 tablished under subparagraph (A).”.

10 (c) ENTRANCE PASS AND AMENITY FEES.—Section
11 803 of the Federal Lands Recreation Enhancement Act
12 (16 U.S.C. 6802) (as amended by this title) is amended
13 by adding at the end the following:

14 “(j) ONLINE PAYMENTS.—

15 “(1) IN GENERAL.—In addition to providing
16 onsite payment methods, the Secretaries may collect
17 payment online for—

18 “(A) entrance fees under subsection (e);

19 “(B) standard amenity recreation fees
20 under subsection (f);

21 “(C) expanded amenity recreation fees
22 under subsection (g); and

23 “(D) special recreation permit fees.

24 “(2) DISTRIBUTION OF ONLINE PAYMENTS.—

25 An online payment collected under paragraph (1)

1 that is associated with a specific unit or area of a
2 Federal land management agency shall be distrib-
3 uted in accordance with section 805(c).”.

4 **SEC. 323. SAVINGS PROVISION.**

5 Nothing in this subtitle, or in any amendment made
6 by this subtitle, shall be construed as affecting the author-
7 ity or responsibility of the Secretary of the Interior to
8 award concessions contracts for the provision of accom-
9 modations, facilities, and services, or commercial use au-
10 thorizations to provide services, to visitors to U.S. Fish
11 and Wildlife Service refuges or units of the National Park
12 System pursuant to subchapter II of chapter 1019 of title
13 54, United States Code (formerly known as the “National
14 Park Service Concessions Management Improvement Act
15 of 1998”), except that sections 314(a), 315, 319(a),
16 319(b), and 319(c) of this subtitle shall also apply to com-
17 mercial use authorizations under that Act.

18 **Subtitle B—Making Recreation a**
19 **Priority**

20 **SEC. 331. EXTENSION OF SEASONAL RECREATION OPPOR-**
21 **TUNITIES.**

22 (a) DEFINITION OF SEASONAL CLOSURE.—In this
23 section, the term “seasonal closure” means any period
24 during which—

1 (1) a unit, or portion of a unit, of Federal rec-
2 reational lands and waters is closed to the public for
3 a continuous period of 30 days or more, excluding
4 temporary closures relating to wildlife conservation
5 or public safety; and

6 (2) permitted or allowable recreational activi-
7 ties, which provide an economic benefit, including
8 off-season or winter-season tourism, do not take
9 place at the unit, or portion of a unit, of Federal
10 recreational lands and waters.

11 (b) COORDINATION.—

12 (1) IN GENERAL.—The Secretaries shall consult
13 and coordinate with outdoor recreation-related busi-
14 nesses operating on, or adjacent to, a unit of Fed-
15 eral recreational lands and waters, State offices of
16 outdoor recreation, local destination marketing orga-
17 nizations, applicable trade organizations, nonprofit
18 organizations, Indian Tribes, local governments, and
19 institutions of higher education—

20 (A) to better understand—

21 (i) trends with respect to visitors to
22 the unit of Federal recreational lands and
23 waters;

24 (ii) the effect of seasonal closures on
25 areas of, or infrastructure on, units of

1 Federal recreational lands and waters on
2 outdoor recreation opportunities, adjacent
3 businesses, and local tax revenue; and

4 (iii) opportunities to extend the period
5 of time during which areas of, or infra-
6 structure on, units of Federal recreational
7 lands and waters are open to the public to
8 increase outdoor recreation opportunities
9 and associated revenues for businesses and
10 local governments; and

11 (B) to solicit input from, and provide in-
12 formation for, outdoor recreation marketing
13 campaigns.

14 (2) LOCAL COORDINATION.—As part of the con-
15 sultation and coordination required under subpara-
16 graph (1), the Secretaries shall encourage relevant
17 unit managers of Federal recreational lands and
18 waters managed by the Forest Service, the Bureau
19 of Land Management, and the National Park Serv-
20 ice to consult and coordinate with local governments,
21 Indian Tribes, outdoor recreation-related businesses,
22 and other local stakeholders operating on or adja-
23 cent to the relevant unit of Federal recreational
24 lands and waters.

25 (d) EXTENSIONS BEYOND SEASONAL CLOSURES.—

1 (1) EXTENSION OF RECREATIONAL SEASON.—

2 In the case of a unit of Federal recreational lands
3 and waters managed by the Forest Service, the Bu-
4 reau of Land Management, or the National Park
5 Service in which recreational use is highly seasonal,
6 the Secretary concerned, acting through the relevant
7 unit manager, may—

8 (A) as appropriate, extend the recreation
9 season or increase recreation use in a sustain-
10 able manner during the offseason; and

11 (B) make information about extended sea-
12 son schedules and related recreational opportu-
13 nities available to the public and local commu-
14 nities.

15 (2) DETERMINATION.—In determining whether
16 to extend the recreation season under this sub-
17 section, the Secretary concerned, acting through the
18 relevant unit manager, shall consider the benefits of
19 extending the recreation season—

20 (A) for the duration of income to gateway
21 communities; and

22 (B) to provide more opportunities to visit
23 resources on units of Federal recreational lands
24 and waters to reduce crowding during peak visi-
25 tation.

1 (3) CLARIFICATION.—Nothing in this sub-
2 section precludes the Secretary concerned, acting
3 through the relevant unit manager, from providing
4 for additional recreational opportunities and uses at
5 times other than those described in this subsection.

6 (4) INCLUSIONS.—An extension of a recreation
7 season or an increase in recreation use during the
8 offseason under paragraph (1) may include—

9 (A) the addition of facilities that would in-
10 crease recreation use during the offseason; and

11 (B) improvement of access to the relevant
12 unit to extend the recreation season.

13 (5) REQUIREMENT.—An extension of a recre-
14 ation season or increase in recreation use during the
15 offseason under paragraph (1) shall be done in com-
16 pliance with all applicable Federal laws, regulations,
17 and policies, including land use plans.

18 (6) AGREEMENTS.—

19 (A) IN GENERAL.—The Secretary con-
20 cerned may enter into agreements with busi-
21 nesses, local governments, or other entities to
22 share the cost of additional expenses necessary
23 to extend the period of time during which an
24 area of, or infrastructure on, a unit of Federal

1 recreational lands and waters is made open to
2 the public.

3 (B) IN-KIND CONTRIBUTIONS.—The Sec-
4 retary concerned may accept in-kind contribu-
5 tions of goods and services provided by busi-
6 nesses, local governments, or other entities for
7 purposes of paragraph (1).

8 **Subtitle C—Maintenance of Public** 9 **Land**

10 **SEC. 341. VOLUNTEERS IN THE NATIONAL FORESTS AND** 11 **PUBLIC LANDS ACT.**

12 The Volunteers in the National Forests Act of 1972
13 (16 U.S.C. 558a et seq.) is amended to read as follows:

14 **“SECTION 1. SHORT TITLE.**

15 “This Act may be cited as the ‘Volunteers in the Na-
16 tional Forests and Public Lands Act’.

17 **“SEC. 2. PURPOSE.**

18 “The purpose of this Act is to leverage volunteer en-
19 gagement to supplement projects that are carried out by
20 the Secretaries to fulfill the missions of the Forest Service
21 and the Bureau of Land Management and are accom-
22 plished with appropriated funds.

23 **“SEC. 3. DEFINITION OF SECRETARIES.**

24 “In this Act, the term ‘Secretaries’ means each of—

1 “(1) the Secretary of Agriculture, acting
2 through the Chief of the Forest Service; and

3 “(2) the Secretary of the Interior, acting
4 through the Director of the Bureau of Land Man-
5 agement.

6 **“SEC. 4. AUTHORIZATION.**

7 “The Secretaries are authorized to recruit, train, and
8 accept without regard to the civil service and classification
9 laws, rules, or regulations the services of individuals with-
10 out compensation as volunteers for or in aid of recreation
11 access, trail construction or maintenance, facility con-
12 struction or maintenance, educational uses (including out-
13 door classroom construction or maintenance), interpretive
14 functions, visitor services, conservation measures and de-
15 velopment, or other activities in and related to areas ad-
16 ministered by the Secretaries. In carrying out this section,
17 the Secretaries shall consider referrals of prospective vol-
18 unteers made by the Corporation for National and Com-
19 munity Service.

20 **“SEC. 5. INCIDENTAL EXPENSES.**

21 “The Secretaries are authorized to provide for inci-
22 dental expenses, such as transportation, uniforms, lodg-
23 ing, training, equipment, and subsistence.

1 **“SEC. 6. CONSIDERATION AS FEDERAL EMPLOYEE.**

2 “(a) Except as otherwise provided in this section, a
3 volunteer shall not be deemed a Federal employee and
4 shall not be subject to the provisions of law relating to
5 Federal employment, including those relating to hours of
6 work, rates of compensation, leave, unemployment com-
7 pensation, and Federal employee benefits.

8 “(b) For the purpose of the tort claim provisions of
9 title 28, United States Code, a volunteer under this Act
10 shall be considered a Federal employee.

11 “(c) For the purposes of subchapter I of chapter 81
12 of title 5, United States Code, relating to compensation
13 to Federal employees for work injuries, volunteers under
14 this Act shall be deemed civil employees of the United
15 States within the meaning of the term ‘employee’ as de-
16 fined in section 8101 of title 5, United States Code, and
17 the provisions of that subchapter shall apply.

18 “(d) For the purposes of claims relating to damage
19 to, or loss of, personal property of a volunteer incident
20 to volunteer service, a volunteer under this Act shall be
21 considered a Federal employee, and the provisions of sec-
22 tion 3721 of title 31, United States Code, shall apply.

23 “(e) For the purposes of subsections (b), (c), and (d),
24 the term ‘volunteer’ includes a person providing volunteer
25 services to either of the Secretaries who—

1 “(1) is recruited, trained, and supported by a
2 cooperator under a mutual benefit agreement or co-
3 operative agreement with either of the Secretaries;
4 and

5 “(2) performs such volunteer services under the
6 supervision of the cooperator as directed by either of
7 the Secretaries in the mutual benefit agreement or
8 cooperative agreement in the mutual benefit agree-
9 ment, including direction that specifies—

10 “(A) the volunteer services, including the
11 geographic boundaries of the work to be per-
12 formed by the volunteers, and the supervision
13 to be provided by the cooperator;

14 “(B) the applicable project safety stand-
15 ards and protocols to be adhered to by the vol-
16 unteers and enforced by the cooperator;

17 “(C) the on-site visits to be made by either
18 of the Secretaries, if feasible and only if nec-
19 essary to verify that volunteers are performing
20 the volunteer services and the cooperator is pro-
21 viding the supervision agreed upon;

22 “(D) the equipment the volunteers are au-
23 thorized to use;

24 “(E) the training the volunteers are re-
25 quired to complete;

1 “(F) the actions the volunteers are author-
2 ized to take; and

3 “(G) any other terms and conditions that
4 are determined to be necessary by the applica-
5 ble Secretary.

6 **“SEC. 7. PROMOTION OF VOLUNTEER OPPORTUNITIES.**

7 “The Secretaries shall promote volunteer opportuni-
8 ties in areas administered by the Secretaries.

9 **“SEC. 8. LIABILITY INSURANCE.**

10 “The Secretaries shall not require a cooperator or
11 volunteer (as those terms are used in section 6) to have
12 liability insurance to provide the volunteer services author-
13 ized under this Act.”.

14 **SEC. 342. REFERENCE.**

15 Any reference to the Volunteers in the National For-
16 ests Act of 1972 in any law, regulation, map, document,
17 record, or other paper of the United States shall be
18 deemed to be a reference to the Volunteers in the National
19 Forests and Public Land Act.

20 **Subtitle D—Recreation Not Red**
21 **Tape**

22 **SEC. 351. GOOD NEIGHBOR AUTHORITY FOR RECREATION.**

23 (a) DEFINITIONS.—In this section:

24 (1) AUTHORIZED RECREATION SERVICES.—The
25 term “authorized recreation services” means similar

1 and complementary recreation enhancement or im-
2 provement services carried out—

3 (A) on Federal land, non-Federal land, or
4 land owned by an Indian Tribe; and

5 (B) by either the Secretary or a Governor,
6 Indian Tribe, or county, as applicable, pursuant
7 to a good neighbor agreement.

8 (2) COUNTY.—The term “county” means—

9 (A) the appropriate executive official of an
10 affected county; or

11 (B) in any case in which multiple counties
12 are affected, the appropriate executive official
13 of a compact of the affected counties.

14 (3) FEDERAL LAND.—The term “Federal land”
15 means land that is—

16 (A) owned and administered by the United
17 States as a part of—

18 (i) the National Forest System; or

19 (ii) the National Park System; or

20 (B) public lands (as defined in section 103
21 of the Federal Land Policy and Management
22 Act of 1976 (43 U.S.C. 1702)).

23 (4) RECREATION ENHANCEMENT OR IMPROVE-
24 MENT SERVICES.—The term “recreation enhance-
25 ment or improvement services” means—

- 1 (A) establishing, repairing, restoring, im-
2 proving, relocating, constructing, or recon-
3 structing new or existing—
- 4 (i) trails or trailheads;
 - 5 (ii) campgrounds and camping areas;
 - 6 (iii) cabins;
 - 7 (iv) picnic areas or other day use
8 areas;
 - 9 (v) shooting ranges;
 - 10 (vi) restroom or shower facilities;
 - 11 (vii) paved or permanent roads or
12 parking areas that serve existing recreation
13 facilities or areas;
 - 14 (viii) fishing piers, wildlife viewing
15 platforms, docks, or other constructed fea-
16 tures at a recreation site;
 - 17 (ix) boat landings;
 - 18 (x) hunting or fishing sites;
 - 19 (xi) infrastructure within ski areas; or
 - 20 (xii) visitor centers or other interpre-
21 tative sites; and
- 22 (B) activities that create, improve, or re-
23 store access to existing recreation facilities or
24 areas.

1 (5) GOOD NEIGHBOR AGREEMENT.—The term
2 “good neighbor agreement” means a cooperative
3 agreement or contract (including a sole source con-
4 tract) entered into between the Secretary and a Gov-
5 ernor, Indian Tribe, or county, as applicable, to
6 carry out authorized recreation services under this
7 title.

8 (6) GOVERNOR.—The term “Governor” means
9 the Governor or any other appropriate executive offi-
10 cial of an affected State or the Commonwealth of
11 Puerto Rico.

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

14 (A) the Secretary of Agriculture, with re-
15 spect to National Forest System land; and

16 (B) the Secretary of the Interior, with re-
17 spect to National Park System land and public
18 lands.

19 (b) GOOD NEIGHBOR AGREEMENTS FOR RECRE-
20 ATION.—

21 (1) IN GENERAL.—The Secretary concerned
22 may enter into a good neighbor agreement with a
23 Governor, Indian Tribe, or county to carry out au-
24 thorized recreation services in accordance with this
25 title.

1 (2) PUBLIC AVAILABILITY.—The Secretary con-
2 cerned shall make each good neighbor agreement
3 available to the public.

4 (3) FINANCIAL AND TECHNICAL ASSISTANCE.—

5 (A) IN GENERAL.—The Secretary con-
6 cerned may provide financial or technical assist-
7 ance to a Governor, Indian Tribe, or county
8 carrying out authorized recreation services.

9 (B) ADDITIONAL TREATMENTS OF REV-
10 ENUE.—Section 8206(b)(2)(C) of the Agricul-
11 tural Act of 2014 (16 U.S.C. 2113a(b)(2)(C))
12 is amended to read as follows:

13 “(C) TREATMENT OF REVENUE.—

14 “(i) IN GENERAL.—Funds received
15 from the sale of timber by a Governor, In-
16 dian Tribe, or county under a good neigh-
17 bor agreement shall be retained and used
18 by the Governor, Indian Tribe, or county,
19 as applicable—

20 “(I) to carry out authorized res-
21 toration services on under the good
22 neighbor agreement; and

23 “(II) if there are funds remain-
24 ing after carrying out clause (i), to
25 carry out—

1 “(aa) authorized restoration
2 services under other good neigh-
3 bor agreements; or

4 “(bb) authorized recreation
5 services under the Good Neighbor
6 Authority for Recreation Act.

7 “(ii) TERMINATION OF EFFECTIVE-
8 NESS.—The authority provided under this
9 subparagraph terminates effective October
10 1, 2028.”.

11 (4) RETENTION OF NEPA RESPONSIBILITIES.—
12 Any decision required to be made under the Na-
13 tional Environmental Policy Act of 1969 (42 U.S.C.
14 4321 et seq.) with respect to any authorized recre-
15 ation services to be provided under this section on
16 Federal land shall not be delegated to a Governor,
17 Indian Tribe, or county.

18 **SEC. 352. PERMIT RELIEF FOR PICNIC AREAS.**

19 (a) IN GENERAL.—If the Secretary concerned does
20 not require the public to obtain a permit or reservation
21 to access a picnic area on Federal recreational lands and
22 waters administered by the Forest Service or the Bureau
23 of Land Management, the Secretary concerned shall not
24 require a covered person to obtain a permit solely to access
25 the picnic area.

1 (b) COVERED PERSON DEFINED.—In this section,
2 the term “covered person” means a person (including an
3 educational group) that provides outfitting and guiding
4 services to fewer than 40 customers per year at a picnic
5 area described in subsection (a).

6 **SEC. 353. INTERAGENCY REPORT ON SPECIAL RECREATION**
7 **PERMITS FOR UNDERSERVED COMMUNITIES.**

8 (a) COVERED COMMUNITY DEFINED.—In this sec-
9 tion, the term “covered community” means a rural or
10 urban community, including an Indian Tribe, that is—

11 (1) low-income or underserved; and

12 (2) has been underrepresented in outdoor recre-
13 ation opportunities on Federal recreational lands
14 and waters.

15 (b) REPORT.—Not later than 3 years after the date
16 of the enactment of this title, the Secretaries, acting joint-
17 ly, shall submit to the Committee on Energy and Natural
18 Resources of the Senate and the Committee on Natural
19 Resources of the House of Representatives a report that
20 describes—

21 (1) the estimated use of special recreation per-
22 mits serving covered communities;

23 (2) examples of special recreation permits, part-
24 nerships, cooperative agreements, or other arrange-

1 (A) by striking “may” and inserting
2 “shall”; and

3 (B) by striking “the Secretary of the Inte-
4 rior” and inserting “the Secretaries”.

5 **SEC. 355. SAVINGS PROVISION.**

6 No additional Federal funds are authorized to carry
7 out the requirements of this Act and the activities author-
8 ized by this Act are subject to the availability of appropria-
9 tions made in advance for such purposes.

Passed the House of Representatives April 9, 2024.

Attest: KEVIN F. MCCUMBER,
Clerk.