

117TH CONGRESS
1ST SESSION

S. 1874

To promote innovative approaches to outdoor recreation on Federal land and to increase opportunities for collaboration with non-Federal partners, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 27, 2021

Mr. WYDEN introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To promote innovative approaches to outdoor recreation on Federal land and to increase opportunities for collaboration with non-Federal partners, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

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

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Recreation Not Red Tape Act”.

6 (b) TABLE OF CONTENTS.—The table of contents of
7 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

Sec. 3. Sense of Congress regarding outdoor recreation.

TITLE I—MODERNIZING RECREATION PERMITTING

- Sec. 101. Definitions.
- Sec. 102. Special recreation permit and fee.
- Sec. 103. Permitting process improvements.
- Sec. 104. Permit flexibility.
- Sec. 105. Permit administration.
- Sec. 106. Permits for multijurisdictional trips.
- Sec. 107. Forest Service permit use reviews.
- Sec. 108. Liability.
- Sec. 109. Cost recovery reform.
- Sec. 110. Extension of special recreation permits.
- Sec. 111. Availability of Federal and State recreation passes.
- Sec. 112. Online purchases of America the Beautiful—the National Parks and Federal Recreational Lands Pass.
- Sec. 113. Effect.

TITLE II—ACCESSING THE OUTDOORS

- Sec. 201. Access for servicemembers and veterans.

TITLE III—MAKING RECREATION A PRIORITY

- Sec. 301. Extension of seasonal recreation opportunities.
- Sec. 302. Recreation performance metrics.
- Sec. 303. Recreation mission.
- Sec. 304. National Recreation Area System.

TITLE IV—MAINTENANCE OF PUBLIC LAND

Subtitle A—Volunteers

- Sec. 401. Private-sector volunteer enhancement program.

Subtitle B—Priority Trail Maintenance

- Sec. 411. Interagency trail management.

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

1 waters” has the meaning given the term in section
2 802 of the Federal Lands Recreation Enhancement
3 Act (16 U.S.C. 6801).

4 (3) SECRETARIES.—Except as otherwise pro-
5 vided in this Act, the term “Secretaries” means—

6 (A) the Secretary of the Interior; and

7 (B) the Secretary of Agriculture.

8 **SEC. 3. SENSE OF CONGRESS REGARDING OUTDOOR**
9 **RECREATION.**

10 It is the sense of Congress that—

11 (1) outdoor recreation and the outdoor industry
12 that outdoor recreation supports are vital to the
13 United States;

14 (2) access to outdoor recreation on Federal rec-
15 reational lands and waters is important to the health
16 and wellness of all people of the United States, espe-
17 cially families and young people;

18 (3) in addition to the overall economic benefit
19 of outdoor recreation, the economic benefits of out-
20 door recreation on Federal recreational lands and
21 waters creates significant economic and employment
22 benefits to rural economies;

23 (4) Congress supports the creation of outdoor
24 recreation sector leadership positions within State
25 governments, as well as coordination with recreation

1 and tourism organizations within the State to guide
2 the growth of this sector, as evidenced by recent ex-
3 amples in the States of Colorado, Utah, and Wash-
4 ington;

5 (5) State and local recreation and tourism of-
6 fices play a pivotal role in—

7 (A) coordinating State outdoor recreation
8 policies, management, and promotion among
9 Federal, State, and local agencies and entities;

10 (B) disseminating information, increasing
11 awareness, and growing demand for outdoor
12 recreation experiences among visitors across the
13 United States and throughout the world;

14 (C) improving funding for, access to, and
15 participation in outdoor recreation; and

16 (D) promoting economic development in
17 the State by coordinating with stakeholders, im-
18 proving recreational opportunities, and recruit-
19 ing outdoor recreation businesses;

20 (6) it is vital—

21 (A) to support the coordination and col-
22 laboration of the Federal and State land and
23 water management agencies in the delivery of
24 visitor services and management of outdoor
25 recreation for the United States; and

1 (B) provide adequate staffing within Fed-
2 eral land management agencies to facilitate sus-
3 tainable and accessible outdoor recreation op-
4 portunities; and

5 (7) volunteers and volunteer partnerships play
6 an important role in maintaining public land.

7 **TITLE I—MODERNIZING**
8 **RECREATION PERMITTING**

9 **SEC. 101. DEFINITIONS.**

10 In this title:

11 (1) ASSOCIATED AGENCY.—The term “associ-
12 ated agency” means the Federal land management
13 agency, other than the lead agency, that manages a
14 public land unit that is the subject of a single joint
15 special recreation permit under section 106.

16 (2) LEAD AGENCY.—With respect to a single
17 joint special recreation permit application submitted
18 under section 106(a), the term “lead agency” means
19 the Federal land management agency designated to
20 administer the single joint special recreation permit
21 under section 106(a)(2).

22 (3) LONG-TERM SPECIAL RECREATION PER-
23 MIT.—The term “long-term special recreation per-
24 mit” means—

1 (A) for a public land unit managed by the
2 Forest Service, a priority use permit; and

3 (B) for a public land unit managed by the
4 Bureau of Land Management, a multiyear spe-
5 cial recreation permit.

6 (4) MULTIJURISDICTIONAL TRIP.—The term
7 “multijurisdictional trip” means a trip that—

8 (A) uses 2 or more public land units; and

9 (B) is under the jurisdiction of 2 or more
10 Federal land management agencies.

11 (5) PUBLIC LAND UNIT.—The term “public
12 land unit” means—

13 (A) a unit of the National Forest System;

14 (B) a unit of the National Park System;

15 (C) a unit of the National Wildlife Refuge
16 System;

17 (D) a district of the Bureau of Land Man-
18 agement; and

19 (E) a project of the Bureau of Reclama-
20 tion.

21 (6) RECREATION SERVICE PROVIDER.—The
22 term “recreation service provider” has the meaning
23 given the term in section 802 of the Federal Lands
24 Recreation Enhancement Act (16 U.S.C. 6801).

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

3 (A) the Secretary of Agriculture, with re-
4 spect to a public land unit described in para-
5 graph (5)(A); and

6 (B) the Secretary of the Interior, with re-
7 spect to a public land unit described in sub-
8 paragraph (B), (C), (D), or (E) of paragraph
9 (5).

10 (8) SPECIAL RECREATION PERMIT.—The term
11 “special recreation permit” has the meaning given
12 the term in section 802 of the Federal Lands Recre-
13 ation Enhancement Act (16 U.S.C. 6801).

14 **SEC. 102. SPECIAL RECREATION PERMIT AND FEE.**

15 (a) DEFINITIONS.—Section 802 of the Federal Lands
16 Recreation Enhancement Act (16 U.S.C. 6801) is amend-
17 ed—

18 (1) in paragraph (1), by striking “section 3(f)”
19 and inserting “803(f)”;

20 (2) in paragraph (2), by striking “section 3(g)”
21 and inserting “section 803(g)”;

22 (3) in paragraph (6), by striking “section 5”
23 and inserting “section 805”;

24 (4) in paragraph (9), by striking “section 5”
25 and inserting “section 805”;

1 (5) in paragraph (12), by striking “section 7”
2 and inserting “section 807”;

3 (6) in paragraph (13), by striking “section
4 3(h)” and inserting “section 803(h)”;

5 (7) by redesignating paragraphs (1), (3), (4),
6 (5), (6), (7), (8), (9), (10), (11), and (13) as para-
7 graphs (15), (1), (3), (4), (5), (6), (7), (8), (11),
8 (10), and (14), respectively, and moving the para-
9 graphs so as to appear in numerical order;

10 (8) by inserting after paragraph (8) (as so re-
11 designated) the following:

12 “(9) RECREATION SERVICE PROVIDER.—The
13 term ‘recreation service provider’ means an indi-
14 vidual or entity that—

15 “(A) provides outfitting, guiding, or other
16 recreation services; or

17 “(B) conducts recreational or competitive
18 events, including incidental sales.”; and

19 (9) by inserting after paragraph (12) the fol-
20 lowing:

21 “(13) SPECIAL RECREATION PERMIT.—The
22 term ‘special recreation permit’ means a permit
23 issued by a Federal land management agency for
24 specialized individual or group uses of Federal rec-
25 reational lands and waters, including for—

1 “(A) outfitting, guiding, or other recre-
2 ation services;

3 “(B) recreation or competitive events,
4 which may include incidental sales;

5 “(C) the use of—

6 “(i) a special area; or

7 “(ii) an area in which use is allocated;

8 “(D) motorized recreation vehicle use in
9 compliance with an applicable travel manage-
10 ment plan or other regulation; and

11 “(E) a group activity or event.”.

12 (b) SPECIAL RECREATION PERMIT AND FEE.—Sec-
13 tion 803 of the Federal Lands Recreation Enhancement
14 Act (16 U.S.C. 6802) is amended—

15 (1) in subsection (b)(5), by striking “section
16 4(d)” and inserting “section 804(d)”; and

17 (2) by striking subsection (h) and inserting the
18 following:

19 “(h) SPECIAL RECREATION PERMIT AND FEE.—

20 “(1) SPECIAL RECREATION PERMIT.—The Sec-
21 retary may issue a special recreation permit for spe-
22 cialized individual or group uses of Federal rec-
23 reational lands and waters.

24 “(2) SPECIAL RECREATION PERMIT FEE.—

1 “(A) IN GENERAL.—The Secretary may
2 charge a special recreation permit fee in con-
3 nection with the issuance of a special recreation
4 permit under paragraph (1).

5 “(B) FEES FOR CERTAIN LANDS.—

6 “(i) IN GENERAL.—Subject to clauses
7 (ii) and (iii), a special recreation permit fee
8 under subparagraph (A) for use of Federal
9 recreational lands and waters managed by
10 the Forest Service, the Bureau of Land
11 Management, the Bureau of Reclamation,
12 or the United States Fish and Wildlife
13 Service shall not exceed the difference be-
14 tween—

15 “(I) the sum of—

16 “(aa) 3 percent of the an-
17 nual gross revenue of the recre-
18 ation service provider for all ac-
19 tivities authorized by the special
20 recreation permit; and

21 “(bb) any applicable revenue
22 addition; and

23 “(II) any applicable revenue ex-
24 clusion.

1 “(ii) EXCLUSION OF CERTAIN REVE-
2 NUES AND PAYMENTS.—In calculating the
3 amount of a fee for a special recreation
4 permit under clause (i), the Secretary shall
5 exclude—

6 “(I) revenue from goods, services,
7 souvenirs, merchandise, gear, food,
8 and activities provided or sold by a
9 special recreation permit holder in a
10 location other than the Federal rec-
11 reational lands and waters covered by
12 the permit, including transportation
13 costs, lodging, and any other service
14 before or after a trip; and

15 “(II) revenue from any rec-
16 reational services provided by a spe-
17 cial recreation permit holder for ac-
18 tivities on Federal recreational lands
19 and waters for which a separate per-
20 mit is issued.

21 “(iii) ALTERNATIVE PER-PERSON
22 FEE.—

23 “(I) IN GENERAL.—For Federal
24 recreational lands and waters man-
25 aged by the Forest Service, the Bu-

1 reau of Land Management, the Bu-
2 reau of Reclamation, or the United
3 States Fish and Wildlife Service, the
4 Secretary may charge a per-person fee
5 in connection with the issuance of a
6 special recreation permit under para-
7 graph (1).

8 “(II) AMOUNT OF FEE.—The
9 total amount charged by the Secretary
10 in connection with the issuance of a
11 special recreation permit under para-
12 graph (1) using a per-person fee
13 under subclause (I) shall be com-
14 parable to the amount the Secretary
15 may charge for a special recreation
16 permit fee under subparagraph (A)
17 and clauses (i) and (ii).

18 “(iv) EFFECT.—Nothing in this sub-
19 paragraph affects any fee for a commercial
20 use authorization for use of Federal rec-
21 reational lands and waters managed by the
22 National Park Service.

23 “(C) DISCLOSURE OF FEES.—A special
24 recreation permit holder may inform customers

1 of any fee charged by the Secretary under this
2 section.

3 “(3) REPORT.—

4 “(A) IN GENERAL.—The Secretary shall
5 make available to holders of special recreation
6 permits under paragraph (1) and the public an
7 annual report describing the use of fees col-
8 lected by the Secretary under paragraph (2).

9 “(B) REQUIREMENTS.—The report under
10 subparagraph (A) shall include a description of
11 how the fees are used in each public land unit
12 (as defined in section 101 of the Recreation
13 Not Red Tape Act) administered by the Sec-
14 retary, including an identification of the
15 amounts used for specific activities within the
16 public land unit.”.

17 (c) USE OF SPECIAL RECREATION PERMIT REV-
18 ENUE.—Section 808 of the Federal Lands Recreation En-
19 hancement Act (16 U.S.C. 6807) is amended—

20 (1) in subsection (a)(3)(F), by striking “section
21 6(a)” and inserting “section 806(a)”;

22 (2) in subsection (d), by striking “section 5”
23 each place it appears and inserting “section 805”;

24 (3) by redesignating subsections (b) through (d)
25 as subsections (c) through (e), respectively; and

1 (4) by inserting after subsection (a) the fol-
2 lowing:

3 “(b) USE OF SPECIAL RECREATION PERMIT FEE
4 REVENUE.—Revenue from a special recreation permit fee
5 may be used for—

6 “(1) the purposes described in subsection (a);
7 and

8 “(2) expenses—

9 “(A) associated with processing applica-
10 tions for special recreation permits; and

11 “(B) incurred in the improvement of the
12 operation of the special recreation permit sys-
13 tem.”.

14 (d) PERMANENT AUTHORIZATION.—Section 810 of
15 the Federal Lands Recreation Enhancement Act (16
16 U.S.C. 6809) is amended—

17 (1) by striking “The authority” and inserting
18 the following:

19 “(a) IN GENERAL.—Except as provided in subsection
20 (b), the authority”; and

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

22 “(b) APPLICABILITY.—Subsection (a) shall not apply
23 to—

24 “(1) section 802;

25 “(2) subsection (d)(2) or (h) of section 803; or

1 “(3) subsection (a), (b), or (c) of section 808.”.

2 **SEC. 103. PERMITTING PROCESS IMPROVEMENTS.**

3 (a) IN GENERAL.—To simplify the process of the
4 issuance and renewal of special recreation permits and re-
5 duce the cost of administering special recreation permits,
6 the Secretary concerned shall—

7 (1) not later than 180 days after the date of
8 enactment of this Act—

9 (A) evaluate the special recreation permit-
10 ting process; and

11 (B) identify opportunities—

12 (i) to eliminate duplicative processes;

13 (ii) to reduce costs; and

14 (iii) to decrease processing times; and

15 (2) not later than 180 days after the date on
16 which the Secretary concerned completes the evalua-
17 tion and identification processes under paragraph
18 (1), revise, as necessary, relevant agency regulations
19 and policy statements to implement the improve-
20 ments identified under paragraph (1)(B).

21 (b) CATEGORICAL EXCLUSIONS.—

22 (1) EVALUATION.—Not later than 1 year after
23 the date of enactment of this Act, the Secretary con-
24 cerned shall evaluate whether 1 or more additional
25 categorical exclusions developed in compliance with

1 the National Environmental Policy Act of 1969 (42
2 U.S.C. 4321 et seq.) would reduce processing times
3 or costs for the issuance or renewal of special recre-
4 ation permits without significantly affecting the
5 quality of the human environment.

6 (2) ESTABLISHMENT OF CATEGORICAL EXCLU-
7 SIONS.—If the Secretary concerned determines
8 under paragraph (1) that 1 or more additional cat-
9 egorical exclusions would reduce processing times or
10 costs for the issuance or renewal of special recre-
11 ation permits without significantly affecting the
12 quality of the human environment, the Secretary
13 concerned shall—

14 (A) establish those categorical exclusions
15 in compliance with the National Environmental
16 Policy Act of 1969 (42 U.S.C. 4321 et seq.);

17 (B) fully document that a category of ac-
18 tions will not individually or cumulatively have
19 a significant effect on the human environment;
20 and

21 (C) revise relevant regulations and policy
22 statements of applicable Federal agencies to in-
23 corporate those categorical exclusions.

24 (3) ADMINISTRATION.—

1 (A) IN GENERAL.—In administering a cat-
2 egorical exclusion established under paragraph
3 (2), the Secretary concerned shall comply with
4 the National Environmental Policy Act of 1969
5 (42 U.S.C. 4321 et seq.) (including regulations
6 promulgated under that Act).

7 (B) EXTRAORDINARY CIRCUMSTANCES.—
8 In determining whether to use a categorical ex-
9 clusion established under paragraph (2), the
10 Secretary concerned shall apply the extraor-
11 dinary circumstances procedures described in,
12 as applicable—

13 (i) section 220.6 of title 36, Code of
14 Federal Regulations (or a successor regula-
15 tion); and

16 (ii) section 46.215 of title 43, Code of
17 Federal Regulations (or a successor regula-
18 tion).

19 (c) NEEDS ASSESSMENTS.—Except as required
20 under subsection (c) or (d) of section 4 of the Wilderness
21 Act (16 U.S.C. 1133), the Secretary concerned shall not
22 conduct a needs assessment as a condition of issuing a
23 special recreation permit under this Act.

24 (d) ONLINE APPLICATIONS.—The Secretary con-
25 cerned shall make applications for special recreation per-

1 mits available to be completed and submitted online unless
2 the Secretary concerned determines that making the appli-
3 cations available for completion and submission online
4 would not improve the efficiency or accessibility of the per-
5 mitting process.

6 **SEC. 104. PERMIT FLEXIBILITY.**

7 (a) **SUBSTANTIALLY SIMILAR ACTIVITIES.**—The Sec-
8 retary concerned shall establish a permit administration
9 protocol that authorizes, to the maximum extent prac-
10 ticable, a permittee issued a special recreation permit for
11 a public land unit to engage in a recreational activity that
12 is substantially similar to the specific activity authorized
13 under the special recreation permit, if the substantially
14 similar recreational activity—

15 (1) is comparable in type, nature, scope, and
16 ecological setting to the specific activity authorized
17 under the special recreation permit;

18 (2) does not result in a greater impact on nat-
19 ural and cultural resources than the authorized ac-
20 tivity;

21 (3) does not adversely affect any other per-
22 mittee issued a special recreation permit for the ap-
23 plicable public land unit;

1 (4) does not involve the use of a motor, includ-
2 ing an electric motor, for a previously nonmotorized
3 use; and

4 (5) is consistent with any laws (including regu-
5 lations) and land use or management plans that
6 apply to the applicable public land unit.

7 (b) VOLUNTARY RETURN OF SURPLUS SERVICE
8 DAYS.—The Secretary concerned shall establish a pro-
9 gram to allow a permittee issued a special recreation per-
10 mit for a public land unit to voluntarily and temporarily
11 return to the Secretary concerned 1 or more service days,
12 to be made available to any other existing or potential per-
13 mittee.

14 (c) FOREST SERVICE AND BUREAU OF LAND MAN-
15 AGEMENT TEMPORARY SPECIAL RECREATION PER-
16 MITS.—

17 (1) IN GENERAL.—Not later than 180 days
18 after the date of enactment of this Act, the Sec-
19 retary concerned shall establish and implement a
20 program to authorize the issuance of temporary spe-
21 cial recreation permits for new or additional rec-
22 reational uses of Federal recreational lands and
23 waters managed by the Forest Service and the Bu-
24 reau of Land Management.

1 (2) TERM OF TEMPORARY PERMITS.—A tem-
2 porary special recreation permit issued under para-
3 graph (1) shall be issued for a period of not more
4 than 2 years.

5 (3) CONVERSION TO LONG-TERM PERMIT.—If
6 the Secretary concerned determines that a permittee
7 under paragraph (1) has completed 2 years of satis-
8 factory operation under the permit proposed to be
9 converted, the Secretary may provide for the conver-
10 sion of a temporary special recreation permit issued
11 under paragraph (1) to a long-term special recre-
12 ation permit.

13 (4) EFFECT.—Nothing in this subsection alters
14 or affects the authority of the Secretary to issue a
15 special recreation permit under subsection (h)(1) of
16 section 803 of the Federal Lands Recreation En-
17 hancement Act (16 U.S.C. 6802).

18 **SEC. 105. PERMIT ADMINISTRATION.**

19 (a) PERMIT AVAILABILITY.—

20 (1) NOTIFICATION OF PERMIT AVAILABILITY.—

21 (A) IN GENERAL.—Except as provided in
22 subparagraphs (B) and (C), if the Secretary
23 concerned has determined that the Department
24 of Agriculture or the Department of the Inte-
25 rior, as applicable, is able to issue new special

1 recreation permits to recreation service pro-
2 viders seeking to use a public land unit, the
3 Secretary concerned shall publish that informa-
4 tion on the website of the agency that admin-
5 isters the relevant public land unit.

6 (B) EXCEPTION FOR CERTAIN PERMITS.—

7 With respect to a public land unit managed by
8 the Forest Service or the Bureau of Land Man-
9 agement, subparagraph (A) shall apply only to
10 a long-term special recreation permit for the
11 public land unit.

12 (C) EXCEPTION FOR RENEWALS AND
13 REISSUANCES.—Subparagraph (A) shall not
14 apply to—

15 (i) a renewal or reissuance of an exist-
16 ing special recreation permit; or

17 (ii) a new special recreation permit
18 issued to the purchaser of a recreation
19 service provider that is the holder of an ex-
20 isting special recreation permit.

21 (D) EFFECT.—Nothing in this paragraph
22 creates a prerequisite to the issuance of a spe-
23 cial recreation permit or otherwise limits the
24 authority of the Secretary concerned—

1 (i) to issue a new special recreation
2 permit;

3 (ii) to add a new or additional use to
4 an existing special recreation permit; or

5 (iii) to make special recreation per-
6 mits available to members of the public.

7 (2) UPDATES.—The Secretary concerned shall
8 ensure that information published on the website
9 under this subsection is consistently updated to pro-
10 vide current and correct information to the public.

11 (3) ELECTRONIC MAIL NOTIFICATION.—The
12 Secretary concerned shall—

13 (A) establish a system by which potential
14 special recreation permit applicants may sub-
15 scribe to receive notification of the availability
16 of special recreation permits by electronic mail;
17 and

18 (B) direct employees of the Department of
19 Agriculture or the Department of the Interior,
20 as applicable, to use that system to notify the
21 public of the availability of special recreation
22 permits.

23 (b) PERMIT APPLICATION ACKNOWLEDGMENT.—Not
24 later than 60 days after the date on which the Secretary
25 of the Interior receives a completed application or the Sec-

1 retary of Agriculture receives a complete proposal for a
2 special recreation permit for a public land unit, the Sec-
3 retary concerned shall—

4 (1) provide to the applicant notice acknowl-
5 edging receipt of the application or proposal; and

6 (2)(A) issue a final decision with respect to the
7 application or proposal; or

8 (B) provide to the applicant notice of a pro-
9 jected date for a final decision on the application or
10 proposal.

11 **SEC. 106. PERMITS FOR MULTIJURISDICTIONAL TRIPS.**

12 (a) SINGLE JOINT SPECIAL RECREATION PER-
13 MITS.—

14 (1) IN GENERAL.—In the case of a multijuris-
15 dictional trip, the Federal land management agen-
16 cies with jurisdiction over the multijurisdictional trip
17 may offer to the applicant a single joint special
18 recreation permit that authorizes the use of each
19 public land unit under the jurisdiction of those Fed-
20 eral land management agencies.

21 (2) LEAD AGENCY.—In offering a single joint
22 special recreation permit under paragraph (1), the
23 applicable Federal land management agencies shall
24 designate a lead agency for administering the single

1 joint special recreation permit based on the following
2 considerations:

3 (A) The length of the multijurisdictional
4 trip and the relative portions of the multijuris-
5 dictional trip on each public land unit.

6 (B) The congressional or administrative
7 designations that apply to the areas to be used
8 during the multijurisdictional trip and the de-
9 gree to which those designations impose limita-
10 tions on recreational use.

11 (C) The relative ability of the Federal land
12 management agencies with jurisdiction over any
13 public land unit affected by the multijuris-
14 dictional trip to process the single joint special
15 recreation permit application in a timely man-
16 ner.

17 (D) Other relevant administrative consider-
18 ations.

19 (3) APPLICATION.—An applicant desiring to be
20 offered a single joint special recreation permit under
21 paragraph (1) shall submit to the lead agency an ap-
22 plication, as required by the lead agency.

23 (4) OPTION TO APPLY FOR SEPARATE PER-
24 MITS.—An applicant for a special recreation permit
25 for a multijurisdictional trip may apply to each ap-

1 applicable Federal land management agency for a sep-
2 arate permit for the portion of the multijuris-
3 dictional trip on the public land unit managed by
4 each applicable Federal land management agency.

5 (b) REQUIREMENTS.—In issuing a single joint special
6 recreation permit under subsection (a), the lead agency
7 shall—

8 (1) coordinate with each associated agency, con-
9 sistent with the authority of the Secretary concerned
10 under section 330 of the Department of the Interior
11 and Related Agencies Appropriations Act, 2001 (43
12 U.S.C. 1703), to develop and issue 1 joint permit
13 that covers the entirety of the multijurisdictional
14 trip;

15 (2) in processing the joint special recreation
16 permit application, incorporate the findings, inter-
17 ests, and needs of each associated agency;

18 (3) in issuing the joint special recreation per-
19 mit, clearly identify the agencies that have the au-
20 thority to enforce the terms, stipulations, conditions,
21 and agreements of the joint special recreation per-
22 mit, as determined under subsection (d); and

23 (4) complete the permitting process within a
24 reasonable timeframe.

1 (c) COST RECOVERY.—Coordination with each asso-
2 ciated agency under subsection (b) shall not be subject to
3 cost recovery.

4 (d) ENFORCEMENT AUTHORITY.—

5 (1) DELEGATION OF AUTHORITY TO LEAD
6 AGENCY.—In administering a single joint special
7 recreation permit under subsection (a), each associ-
8 ated agency shall delegate to the lead agency the au-
9 thority—

10 (A) to enforce the terms, stipulations, con-
11 ditions, and agreements of the joint special
12 recreation permit, as may be required by each
13 associated agency; and

14 (B) to suspend, terminate, or revoke the
15 joint special recreation permit for—

16 (i) noncompliance with Federal, State,
17 or local laws (including regulations);

18 (ii) noncompliance with the terms of
19 the joint special recreation permit; or

20 (iii) failure of the holder of the joint
21 special recreation permit to exercise the
22 privileges granted by the joint special
23 recreation permit.

24 (2) RETENTION OF AUTHORITY BY THE ASSOCI-
25 ATED AGENCY.—The associated agency shall retain

1 the authority to enforce the terms, stipulations, con-
2 ditions, and agreements in the joint special recre-
3 ation permit that apply specifically to the use occur-
4 ring on the public land unit managed by the associ-
5 ated agency.

6 (e) WITHDRAWAL.—

7 (1) IN GENERAL.—The lead agency or an asso-
8 ciated agency may withdraw from a joint special
9 recreation permit at any time.

10 (2) ISSUANCE OF SEPARATE PERMITS.—

11 (A) IN GENERAL.—In the case of a with-
12 drawal by 1 or more agencies under paragraph
13 (1), if the holder of the joint special recreation
14 permit is in compliance with the requirements
15 of the joint special recreation permit, the lead
16 agency and each associated agency shall issue
17 to the holder of the joint special recreation per-
18 mit a new, separate special recreation permit
19 for any use occurring on the public land unit
20 managed by the agency.

21 (B) REQUIREMENTS.—A special recreation
22 permit issued under subparagraph (A) shall
23 contain the same or substantially similar terms,
24 conditions, and operating stipulations as the

1 joint special recreation permit from which an
2 agency has withdrawn under paragraph (1).

3 (C) NO NEW APPLICATION.—The holder of
4 a joint special recreation permit from which an
5 agency has withdrawn under paragraph (1)
6 shall not be required to submit a new applica-
7 tion for a separate special recreation permit.

8 (f) TREATMENT OF PUBLIC LAND UNITS CHARGING
9 ENTRANCE FEES.—For any trip that originates on, or
10 outside of, but passes through, a public land unit that
11 charges entrance fees, entrance fees may be collected in
12 addition to the special recreation permit fees collected
13 under subsection (h)(2) of section 803 of the Federal
14 Lands Recreation Enhancement Act (16 U.S.C. 6802).

15 **SEC. 107. FOREST SERVICE PERMIT USE REVIEWS.**

16 (a) IN GENERAL.—If the Secretary of Agriculture
17 (referred to in this section as the “Secretary”) conducts
18 a special recreation permit use review in renewing a spe-
19 cial recreation permit or adjusting allocations of use in
20 a special recreation permit, the Secretary shall—

21 (1) take into consideration the performance of
22 the special recreation permit holder during the re-
23 viewed period; and

24 (2) if the special recreation permit holder re-
25 ceives a satisfactory performance review, allocate to

1 the special recreation permit holder the highest level
2 of actual annual use during the period under review
3 plus 25 percent of that use, not to exceed the level
4 allocated to the special recreation permit holder on
5 the date on which the special recreation permit was
6 issued.

7 (b) ADDITIONAL CAPACITY.—

8 (1) IN GENERAL.—If additional use capacity is
9 available, the Secretary may, at any time, assign the
10 remaining use to 1 or more qualified recreation serv-
11 ice providers.

12 (2) ASSIGNMENT NOT SUBJECT TO CAP ON
13 USE.—Notwithstanding subsection (a), in assigning
14 additional use capacity under paragraph (1), the
15 Secretary may assign additional use capacity to an
16 existing special recreation permit holder even if that
17 assignment would exceed the amount of use allo-
18 cated to the special recreation permit holder on the
19 date on which the special recreation permit was
20 issued.

21 (c) WAIVER.—The Secretary may waive a special
22 recreation permit use review for any period during which
23 use of the assigned capacity for the special recreation per-
24 mit has been prevented by a circumstance beyond the con-
25 trol of the special recreation permit holder, such as—

- 1 (1) unfavorable weather;
- 2 (2) fire;
- 3 (3) natural disaster;
- 4 (4) wildlife displacement;
- 5 (5) business interruption;
- 6 (6) insufficient availability of hunting and fish-
- 7 ing licenses; or
- 8 (7) significant seasonal variability or off-peak
- 9 periods within the allocated period of use.

10 (d) APPROVAL OF NON-USE.—

11 (1) IN GENERAL.—In any circumstance for
12 which the holder of a special recreation permit would
13 qualify for a waiver under subsection (c), on request
14 of the holder of the special recreation permit, the
15 Secretary may approve non-use by the holder of the
16 special recreation permit without reducing the num-
17 ber of service days assigned to the special recreation
18 permit.

19 (2) TEMPORARY REASSIGNMENT OF USE.—The
20 Secretary may assign any period of non-use ap-
21 proved under paragraph (1) to another qualified
22 recreation service provider.

23 **SEC. 108. LIABILITY.**

24 (a) EXCULPATORY AGREEMENTS.—

1 (1) IN GENERAL.—A Federal land management
2 agency shall not implement, administer, or enforce
3 any regulation, guidance, or policy relating to the
4 use of an exculpatory agreement between the holder
5 of a special recreation permit and a customer of the
6 holder of the special recreation permit relating to
7 services provided under a special recreation permit.

8 (2) SAVINGS CLAUSE.—Nothing in this sub-
9 section preempts, displaces, modifies, or eliminates
10 any State law (including common law) relating to
11 exculpatory agreements.

12 (b) INDEMNIFICATION BY GOVERNMENT ENTI-
13 TIES.—The Secretary concerned may not require a recre-
14 ation service provider to indemnify the United States as
15 a condition for issuing a special recreation permit for a
16 public land unit under section 803(h) of the Federal
17 Lands Recreation Enhancement Act (16 U.S.C. 6802(h))
18 if—

19 (1) the recreation service provider is prohibited
20 by State or local law from providing indemnification
21 to the United States; and

22 (2) the recreation service provider—

23 (A) carries the minimum amount of liabil-
24 ity insurance coverage required by the issuing

1 agency for the activities conducted under the
2 special recreation permit; or

3 (B) is self-insured for the same amount.

4 **SEC. 109. COST RECOVERY REFORM.**

5 (a) REVISION OF REGULATIONS.—

6 (1) IN GENERAL.—Not later than 1 year after
7 the date of enactment of this Act, the Secretary of
8 Agriculture shall revise section 251.58 of title 36,
9 Code of Federal Regulations, and the Secretary of
10 the Interior shall revise section 2932.31 of title 43,
11 Code of Federal Regulations, to be consistent with
12 this section.

13 (2) LIMITATION.—In carrying out paragraph
14 (1), the Secretaries shall not include anything in the
15 revised regulations that would limit the authority of
16 the Secretaries to issue or renew special recreation
17 permits.

18 (b) DE MINIMIS EXEMPTION FROM COST RECOV-
19 ERY.—

20 (1) IN GENERAL.—Any regulation promulgated
21 by the Secretary of the Interior or the Secretary of
22 Agriculture to establish fees to recover the costs of
23 processing an application for a special recreation
24 permit or monitoring an authorization under a spe-
25 cial recreation permit shall include an exemption

1 providing that fees may not be recovered for not less
2 than the first 50 hours of work necessary in any 1
3 year to process the application or monitor the au-
4 thorization.

5 (2) MULTIPLE APPLICATIONS.—In situations
6 involving multiple applications for special recreation
7 permits for similar services in the same public land
8 unit or area that, in the aggregate, require more
9 hours to process than are exempt under the regula-
10 tions promulgated under paragraph (1), the Sec-
11 retary concerned shall, regardless of whether the ap-
12 plications are solicited or unsolicited and whether
13 there is competitive interest—

14 (A) determine the share of the aggregate
15 quantity of hours to be allocated to each appli-
16 cation on an equal or prorated basis, as appro-
17 priate; and

18 (B) for each application, apply a separate
19 exemption as specified in the regulations pro-
20 mulgated under paragraph (1) to the share of
21 the aggregate hours allocated to the application.

22 (c) COST REDUCTION.—To the maximum extent
23 practicable, the Secretary concerned processing an appli-
24 cation for a special recreation permit shall use existing

1 studies and analysis to reduce the quantity of work and
2 costs necessary to process the application.

3 **SEC. 110. EXTENSION OF SPECIAL RECREATION PERMITS.**

4 (a) IN GENERAL.—Subject to subsection (b), if the
5 holder of a long-term special recreation permit makes a
6 timely and sufficient request for renewal of the long-term
7 special recreation permit, the expiration of the permit
8 shall be tolled in accordance with the undesignated matter
9 following section 558(c)(2) of title 5, United States Code,
10 until such time as the request for renewal has been finally
11 determined by the Secretary concerned.

12 (b) LIMITATION.—Any tolling under subsection (a)
13 shall be for a period of not more than 5 years.

14 (c) RESPONSIBILITY OF THE SECRETARY CON-
15 CERNED.—Before allowing the expiration of a permit to
16 be tolled under subsection (a), the Secretary concerned,
17 to the maximum extent practicable, shall complete the re-
18 newal process.

19 **SEC. 111. AVAILABILITY OF FEDERAL AND STATE RECRE-**
20 **ATION PASSES.**

21 (a) IN GENERAL.—The Federal Lands Recreation
22 Enhancement Act is amended by inserting after section
23 805 (16 U.S.C. 6804) the following:

1 **“SEC. 805A. AVAILABILITY OF FEDERAL AND STATE RECRE-**
2 **ATION PASSES.**

3 “(a) ESTABLISHMENT OF PROGRAM.—

4 “(1) IN GENERAL.—To improve the availability
5 of Federal and State outdoor recreation passes, the
6 Secretaries are encouraged to consult with States to
7 coordinate the availability of Federal and State
8 recreation passes to allow a purchaser to buy a Fed-
9 eral recreation pass and a State recreation pass in
10 the same transaction.

11 “(2) INCLUDED PASSES.—Passes covered by
12 the program established under paragraph (1) in-
13 clude—

14 “(A) an America the Beautiful—the Na-
15 tional Parks and Federal Recreational Lands
16 Pass under section 805; and

17 “(B) any pass covering any fees charged
18 by participating States and localities for en-
19 trance and recreational use of parks and public
20 land in the participating States.

21 “(b) AGREEMENTS WITH STATES.—

22 “(1) IN GENERAL.—The Secretaries, after con-
23 sultation with the States, may enter into agreements
24 with States to coordinate the availability of passes
25 as described in subsection (a).

1 “(2) REVENUE FROM PASS SALES.—The agree-
 2 ments between the Secretaries and the States shall
 3 ensure that—

4 “(A) funds from the sale of State passes
 5 are transferred to the appropriate State agency;

6 “(B) funds from the sale of Federal passes
 7 are transferred to the appropriate Federal
 8 agency; and

9 “(C) fund transfers are completed by the
 10 end of a fiscal year for all pass sales occurring
 11 during the fiscal year.

12 “(3) NOTICE.—In entering into an agreement
 13 under paragraph (1), the Secretaries shall publish in
 14 the Federal Register a notice describing the agree-
 15 ment.”.

16 (b) CLERICAL AMENDMENT.—The table of contents
 17 for the Federal Lands Recreation Enhancement Act (16
 18 U.S.C. 6801 et seq.) is amended by inserting after the
 19 item relating to section 805 the following:

“ Sec. 805A. Availability of Federal and State recreation passes.”.

20 **SEC. 112. ONLINE PURCHASES OF AMERICA THE BEAU-**
 21 **TIFUL—THE NATIONAL PARKS AND FEDERAL**
 22 **RECREATIONAL LANDS PASS.**

23 (a) IN GENERAL.—Section 805(a)(6) of the Federal
 24 Lands Recreation Enhancement Act (16 U.S.C.

1 6804(a)(6)) is amended by striking subparagraph (A) and
2 inserting the following:

3 “(A) IN GENERAL.—The Secretaries shall
4 sell the America the Beautiful—the National
5 Parks and Federal Recreational Lands Pass—

6 “(i) at all Federal recreational lands
7 and waters at which an entrance fee or a
8 standard amenity recreation fee is charged
9 where feasible to do so;

10 “(ii) at such other locations as the
11 Secretaries consider appropriate and fea-
12 sible; and

13 “(iii) through the website of each of
14 the Federal land management agencies and
15 the websites of the relevant units and
16 subunits of those agencies, with—

17 “(I) a prominent link on each
18 website; and

19 “(II) information about where
20 and when passes are needed.”.

21 (b) ENTRANCE PASS AND AMENITY FEES.—The Sec-
22 retaries shall make available for payment online, if appro-
23 priate and feasible, for each public land unit where passes
24 and fees are required—

1 (1) all entrance fees under section 803(e) of the
2 Federal Lands Recreation Enhancement Act (16
3 U.S.C. 6802(e));

4 (2) all standard amenity recreation fees under
5 section 803(f) of that Act (16 U.S.C. 6802(f)); and

6 (3) all expanded amenity recreation fees under
7 section 803(g) of that Act (16 U.S.C. 6802(g)).

8 **SEC. 113. EFFECT.**

9 (a) **IN GENERAL.**—Except as provided in subsection
10 (b), nothing in this Act (including an amendment made
11 by this Act) affects the authority or responsibility of the
12 Secretary of the Interior to award concessions contracts
13 for the provision of accommodations, facilities, and serv-
14 ices, or commercial use authorizations to provide services,
15 to visitors to units of the National Park System under
16 subchapter II of chapter 1019 of title 54, United States
17 Code.

18 (b) **EXCEPTION.**—Notwithstanding subsection (a),
19 subsections (a), (b), and (d) of section 103, subsections
20 (a) and (b) of section 104, and sections 106 and 108 shall
21 apply to commercial use authorizations under subchapter
22 II of chapter 1019 of title 54, United States Code.

1 **TITLE II—ACCESSING THE**
2 **OUTDOORS**

3 **SEC. 201. ACCESS FOR SERVICEMEMBERS AND VETERANS.**

4 (a) IN GENERAL.—The Secretaries are encouraged to
5 work with the Secretary of Defense and the Secretary of
6 Veterans Affairs to ensure servicemembers and veterans
7 have access to outdoor recreation and to outdoor-related
8 volunteer and wellness programs as a part of the basic
9 services provided to servicemembers and veterans.

10 (b) INCLUSION OF INFORMATION.—Each branch of
11 the Armed Forces is encouraged to include information
12 regarding outdoor recreation and outdoors-based careers
13 in the materials and counseling services focused on resil-
14 ience and career readiness provided in transition pro-
15 grams, including—

16 (1) the benefits of outdoor recreation for phys-
17 ical and mental health;

18 (2) resources to access guided outdoor trips and
19 other outdoor programs connected to the Depart-
20 ment of Veterans Affairs; and

21 (3) information regarding programs and jobs
22 focused on continuing national service such as the
23 Public Land Corps, AmeriCorps, or a conservation
24 corps program.

1 (c) OUTDOOR RECREATION PROGRAM ATTEND-
 2 ANCE.—Each branch of the Armed Forces is encouraged
 3 to permit members of the Armed Forces on active duty
 4 status, at the discretion of the commander of the member,
 5 to use not more than 7 days of a permissive temporary
 6 duty assignment or terminal leave allotted to the member
 7 to participate in a program related to environmental stew-
 8 ardship or guided outdoor recreation following deploy-
 9 ment.

10 (d) VETERAN HIRING.—The Secretaries are strongly
 11 encouraged to hire veterans in all positions related to the
 12 management of Federal recreational lands and waters.

13 **TITLE III—MAKING RECREATION**
 14 **A PRIORITY**

15 **SEC. 301. EXTENSION OF SEASONAL RECREATION OPPOR-**
 16 **TUNITIES.**

17 (a) IN GENERAL.—

18 (1) EXTENSION OF RECREATIONAL SEASON.—

19 The relevant unit managers of Federal recreational
 20 lands and waters managed by the Forest Service,
 21 the Bureau of Land Management, and the National
 22 Park Service may—

23 (A) identify areas of Federal recreational
 24 lands and waters in which recreation use is
 25 highly seasonal;

1 (B) where appropriate, extend the recre-
2 ation season or increase recreation use in a sus-
3 tainable manner during the offseason; and

4 (C) make information about extended sea-
5 son schedules and related recreational opportu-
6 nities available to the public and local commu-
7 nities.

8 (2) CLARIFICATION.—Nothing in this sub-
9 section precludes the Secretaries from providing for
10 additional recreational opportunities and uses at
11 times other than those referred to in paragraph (1).

12 (b) INCLUSIONS.—An extension under subsection
13 (a)(1) may include—

14 (1) the addition of facilities that would increase
15 recreation use during the offseason; and

16 (2) improvement of access to the area to extend
17 the season.

18 (c) REQUIREMENT.—An extension under subsection
19 (a)(1) shall be compatible with all applicable Federal laws,
20 regulations, and policies, including land use plans.

21 **SEC. 302. RECREATION PERFORMANCE METRICS.**

22 (a) IN GENERAL.—The Chief of the Forest Service
23 and the Director of the Bureau of Land Management shall
24 evaluate land managers under their jurisdiction based on
25 the achievement of applicable agency recreational and

1 tourism metrics as described in applicable land manage-
2 ment plans.

3 (b) METRICS.—

4 (1) IN GENERAL.—The metrics used to evaluate
5 recreation and tourism outcomes shall ensure—

6 (A) the advancement of recreation and
7 tourism goals; and

8 (B) the ability of the land manager to en-
9 hance the outdoor experience of the visitor.

10 (2) INCLUSIONS.—The metrics referred to para-
11 graph (1) shall include—

12 (A) the extent of positive economic im-
13 pacts;

14 (B) visitation by families;

15 (C) the number of visiting school and
16 youth groups;

17 (D) the number of available recreational
18 opportunities;

19 (E) the quality of visitor experience;

20 (F) the number of recreational and envi-
21 ronmental educational programs offered;

22 (G) visitor satisfaction; and

23 (H) the maintenance and expansion of ex-
24 isting recreation infrastructure.

1 **SEC. 303. RECREATION MISSION.**

2 (a) DEFINITION OF FEDERAL AGENCY.—In this sec-
3 tion, the term “Federal agency” means each of—

- 4 (1) the Corps of Engineers;
5 (2) the Bureau of Reclamation;
6 (3) the Federal Energy Regulatory Commission;
7 and
8 (4) the Department of Transportation.

9 (b) MISSION.—With respect to the mission of the
10 Federal agency, each Federal agency shall consider how
11 land and water management decisions can enhance recre-
12 ation opportunities and the recreation economy.

13 **SEC. 304. NATIONAL RECREATION AREA SYSTEM.**

14 (a) DECLARATION OF POLICY.—It is the policy of the
15 United States that certain Federal land possesses remark-
16 able recreational values and should be managed for—

- 17 (1) sustainable outdoor recreational uses by the
18 people of the United States;
19 (2) the recreational, social, and health benefits
20 people receive from the Federal land through out-
21 door recreation; and
22 (3) the specific and meaningful experiences
23 made possible by unique and varied landscapes.

24 (b) DEFINITIONS.—In this section:

1 (1) NATURAL FEATURE.—The term “natural
2 feature” means an ecological, geological,
3 hydrological, or scenic attribute of a specific area.

4 (2) REMARKABLE RECREATIONAL AT-
5 TRIBUTE.—The term “remarkable recreational at-
6 tribute” means, with respect to an area—

7 (A) a natural feature that supports high-
8 quality outdoor recreation opportunities and ex-
9periences;

10 (B) having a high value in terms of pro-
11 viding recreation opportunities to underserved
12 communities;

13 (C) a unique cultural or historic feature or
14 attribute that supports high-quality recreation
15 opportunities and experiences;

16 (D) the offering of outstanding existing or
17 prospective recreation opportunities and uses;

18 (E) having an important role in, and con-
19 tributing significantly, to the outdoor recreation
20 economy; or

21 (F) having high fish and wildlife values.

22 (3) SECRETARY.—The term “Secretary”
23 means—

24 (A) the Secretary of the Interior, acting
25 through the Director of the Bureau of Land

1 Management with respect to land administered
2 by the Bureau of Land Management; and

3 (B) the Secretary of Agriculture, acting
4 through the Chief of the Forest Service, with
5 respect to National Forest System land.

6 (4) SYSTEM.—The term “System” means the
7 National Recreation Area System established by
8 subsection (c).

9 (5) SYSTEM UNIT.—The term “System unit”
10 means a System unit designated pursuant to sub-
11 section (c).

12 (c) COMPOSITION.—There is established a National
13 Recreation Area System, to be comprised of—

14 (1) existing National Recreation Areas under
15 the jurisdiction of the Bureau of Land Management
16 or the Forest Service described in subsection (g);
17 and

18 (2) new System units designated by Congress
19 on or after the date of enactment of this Act.

20 (d) ADMINISTRATION.—

21 (1) IN GENERAL.—Subject to valid existing
22 rights, the Secretary shall manage each System unit
23 in a manner that—

24 (A) prioritizes the sustainable enjoyment,
25 conservation, and enhancement of the remark-

1 able recreational attributes, natural features,
2 and uses of the System unit consistent with
3 subsection (a); and

4 (B) protects the System unit for a variety
5 of recreational uses (including outfitting and
6 guiding, motorized recreation, hunting and fish-
7 ing, horseback riding, and biking) in locations
8 where those uses are appropriate and are con-
9 ducted in accordance with the applicable land
10 management plan and all applicable Federal
11 and State laws (including regulations).

12 (2) GRAZING.—Livestock grazing within System
13 units, where established before the date of the enact-
14 ment of this Act, shall be permitted if the grazing
15 complies with all applicable laws (including regula-
16 tions).

17 (3) STATE, TRIBAL, AND LOCAL INVOLVE-
18 MENT.—The Secretary shall consult with States, po-
19 litical subdivisions of States, affected Indian Tribes,
20 adjacent landowners, and the public in the adminis-
21 tration of System units.

22 (4) FISH AND WILDLIFE.—Nothing in this sec-
23 tion affects the jurisdiction or responsibilities of a
24 State with respect to fish and wildlife in a System
25 unit in the State.

1 (5) WATER RIGHTS.—Nothing in this section
2 affects any valid or vested water right in existence
3 on the date of enactment of this Act.

4 (6) SKI AREA LAND.—This section shall not
5 apply to ski area land, including ski area special use
6 permit boundaries, master development plan bound-
7 aries, and any acres allocated for resort development
8 in a forest plan.

9 (e) COMPONENTS OF NATIONAL RECREATION AREA
10 SYSTEM.—

11 (1) MAP; LEGAL DESCRIPTION.—

12 (A) IN GENERAL.—For System units des-
13 igned by an Act of Congress after the date of
14 enactment of this Act, as soon as practicable
15 after the date of designation of a System unit,
16 the Secretary shall prepare a map and legal de-
17 scription of the System unit.

18 (B) FORCE OF LAW.—The map and legal
19 description filed under subparagraph (A) shall
20 have the same force and effect as if included in
21 this section, except that the Secretary may cor-
22 rect typographical errors in the map and legal
23 description.

24 (C) PUBLIC AVAILABILITY.—The map and
25 legal description filed under subparagraph (A)

1 shall be on file and available for public inspec-
2 tion in the offices of the Bureau of Land Man-
3 agement and the Forest Service, as appropriate.

4 (2) COMPREHENSIVE MANAGEMENT PLAN.—

5 (A) IN GENERAL.—For System units des-
6 ignated by an Act of Congress after the date of
7 enactment of this Act the Secretary with juris-
8 diction over the System unit shall prepare a
9 comprehensive management plan for the unit
10 that fulfills the requirements of subsection
11 (d)(1) and subparagraph (C).

12 (B) TIMING.—

13 (i) IN GENERAL.—The comprehensive
14 management plan described in subpara-
15 graph (A) shall be completed as part of the
16 regular land use management planning
17 process of the applicable agency on which
18 the System unit is located.

19 (ii) DELAY IN PLAN REVISION.—If the
20 planning cycle of the applicable agency
21 does not coincide with the designation of
22 the System unit, the initial plan for the
23 unit shall be completed not later than 3
24 years after the date of designation of the
25 System unit.

1 (C) REQUIREMENTS.—A comprehensive
2 management plan prepared under subparagraph
3 (A) shall—

4 (i) identify the existing, and to the ex-
5 tent practicable, prospective remarkable
6 recreational attributes of the System unit;

7 (ii) ensure the System unit is man-
8 aged to protect and enhance the purposes
9 for which the System unit was established;

10 (iii) ensure the System unit is man-
11 aged to protect and enhance the resources
12 that make the area suitable for designation
13 under subsection (c)(2) in accordance with
14 subsection (a);

15 (iv) describe the circumstances and lo-
16 cations in which the activities described in
17 paragraphs (1)(B) and (2) of subsection
18 (d) are permitted on the System unit;

19 (v) be coordinated with resource man-
20 agement planning for affected adjacent
21 Federal land, if applicable;

22 (vi) be prepared—

23 (I) in accordance with—

24 (aa) as applicable, the Fed-
25 eral Land Policy and Manage-

1 ment Act of 1976 (43 U.S.C.
2 1701 et seq.) or section 6 of the
3 Forest and Rangeland Renewable
4 Resources Planning Act of 1974
5 (16 U.S.C. 1604); and

6 (bb) any other applicable
7 laws (including regulations); and

8 (II) in consultation with States,
9 political subdivisions of States, af-
10 fected Indian Tribes, adjacent land-
11 owners, and the public; and

12 (vii) designate a sustainable road and
13 trail network, consistent with subsection
14 (a) and the purposes for which the System
15 unit was established, in accordance with all
16 applicable laws (including regulations).

17 (D) REVIEW.—A comprehensive manage-
18 ment plan described in subparagraph (A) shall
19 be regularly reviewed and updated as part of
20 the regular land management planning process
21 of the applicable agency.

22 (E) MANAGEMENT BY SECRETARY.—

23 (i) IN GENERAL.—The Secretary shall
24 manage a National Recreation Area de-
25 scribed in subsection (g) in accordance

1 with the management plan for the Na-
2 tional Recreation Area in effect on the
3 date of enactment of this Act, until the
4 date on which the plan is revised or super-
5 seded by a new comprehensive manage-
6 ment plan issued in accordance with this
7 paragraph.

8 (ii) PLAN REVISION.—If 1 or more
9 components of an existing management
10 plan referred to in clause (i) conflict with
11 this section, not later than 2 years after
12 the date of enactment of this Act, the Sec-
13 retary shall revise the plan to make the
14 plan consistent with this section.

15 (F) NOTICE.—The Secretary shall publish
16 in the Federal Register notice of the completion
17 and availability of a plan prepared under this
18 paragraph.

19 (f) POTENTIAL ADDITIONS TO NATIONAL RECRE-
20 ATION AREA SYSTEM.—

21 (1) ELIGIBLE AREA.—An area eligible for inclu-
22 sion in the System is an area that possesses 1 or
23 more remarkable recreational attributes.

1 (2) POTENTIAL ADDITIONS.—In carrying out
2 the land management planning process, the Sec-
3 retary shall—

4 (A) identify eligible areas that possess 1 or
5 more remarkable recreational attributes;

6 (B) develop and maintain a list of eligible
7 areas as potential additions to the System;

8 (C) consider input from the Governor of,
9 political subdivisions of, and affected Indian
10 Tribes located in, the State in which the eligible
11 areas are located;

12 (D) transmit to Congress lists of eligible
13 areas for consideration; and

14 (E) ensure that management plans for eli-
15 gible areas maintain the recreational attributes
16 supporting eligibility.

17 (g) EXISTING NATIONAL RECREATION AREAS.—

18 Each National Recreation Area established before the date
19 of enactment of this Act that is under the jurisdiction of
20 the Bureau of Land Management or the Forest Service
21 shall be—

22 (1) deemed to be a unit of the System; and

23 (2) notwithstanding subsection (d), adminis-
24 tered under the law pertaining to the applicable Sys-
25 tem unit.

1 (h) STANDARD FEES.—In accordance with sections
2 803 through 808 of the Federal Lands Recreation En-
3 hancement Act (16 U.S.C. 6802–6807), the Secretary
4 may establish a standard amenity fee at each National
5 Recreation Area designated after the date of enactment
6 of this Act, if—

7 (1) the purpose of the fee is to enhance visitor
8 services and stewardship of the recreation area; and

9 (2) the establishment of a fee is not prohibited
10 by other Federal law.

11 (i) COMPLIANCE WITH EXISTING LAWS.—Nothing in
12 this section modifies any obligation—

13 (1) of the Secretary to prepare or implement a
14 land use plan in accordance with section 202 of the
15 Federal Land Policy and Management Act of 1976
16 (43 U.S.C. 1712) or section 6 of the Forest and
17 Rangeland Renewable Resources Planning Act of
18 1974 (16 U.S.C. 1604);

19 (2) under the Endangered Species Act of 1973
20 (16 U.S.C. 1531 et seq.);

21 (3) under the Federal Water Pollution Control
22 Act (33 U.S.C. 1251 et seq.); or

23 (4) under any other applicable law.

24 (j) APPLICABILITY OF OTHER LAND MANAGEMENT
25 DESIGNATIONS.—Nothing in this section affects—

1 (1) any other land or water management des-
2 ignation under any other provision of law; or

3 (2) any obligation to comply with a requirement
4 applicable to such a designation.

5 (k) NATIVE AMERICAN TREATY RIGHTS.—Nothing
6 in this section alters, modifies, enlarges, diminishes, or ab-
7 rogates the treaty rights of any Indian Tribe, including
8 any off-reservation reserved rights.

9 **TITLE IV—MAINTENANCE OF**
10 **PUBLIC LAND**

11 **Subtitle A—Volunteers**

12 **SEC. 401. PRIVATE-SECTOR VOLUNTEER ENHANCEMENT**
13 **PROGRAM.**

14 (a) PURPOSE.—The purpose of this section is to pro-
15 mote private-sector volunteer programs within the Depart-
16 ment of the Interior and the Department of Agriculture
17 to enhance stewardship, recreation access, and sustain-
18 ability of the resources, values, and facilities of the Fed-
19 eral recreational lands and waters managed by the Federal
20 land management agencies.

21 (b) DEFINITIONS.—In this section:

22 (1) SECRETARY CONCERNED.—The term “Sec-
23 retary concerned” means—

1 (A) the Secretary of Agriculture (acting
2 through the Chief of the Forest Service), with
3 respect to National Forest System land; and

4 (B) the Secretary of the Interior, with re-
5 spect to land managed by the Bureau of Land
6 Management.

7 (2) VOLUNTEER.—The term “volunteer” means
8 any individual who performs volunteer services under
9 this section.

10 (c) ESTABLISHMENT.—The Secretary concerned
11 shall carry out a program under which the Secretary con-
12 cerned shall—

13 (1) enhance private-sector volunteer programs;

14 (2) actively promote private-sector volunteer op-
15 portunities; and

16 (3) provide outreach to, and coordinate with,
17 the private sector for the purposes described in para-
18 graphs (1) and (2).

19 (d) COOPERATIVE AGREEMENTS FOR STEWARDSHIP
20 OF FEDERAL LAND.—

21 (1) AUTHORITY TO ENTER INTO AGREE-
22 MENTS.—The Secretary concerned may enter into
23 cooperative agreements (in accordance with section
24 6305 of title 31, United States Code) with private
25 agencies, organizations, institutions, corporations,

1 individuals, or other entities to carry out 1 or more
2 projects or programs with a Federal land manage-
3 ment agency in accordance with this section.

4 (2) PROJECT AND PROGRAM INSTRUCTIONS.—

5 The Secretary concerned shall include in the cooper-
6 ative agreement the desired outcomes of the project
7 or program and the guidelines for the volunteers to
8 follow, including—

9 (A) the physical boundaries of the project
10 or program;

11 (B) the equipment the volunteers are au-
12 thorized to use to complete the project or pro-
13 gram;

14 (C) the training the volunteers are re-
15 quired to complete, including agency consider-
16 ation and incorporation of training offered by
17 qualified nongovernmental organizations and
18 volunteer partner organizations;

19 (D) the actions the volunteers are author-
20 ized to take to complete the project or program;
21 and

22 (E) any other information that the Sec-
23 retary concerned determines necessary for the
24 volunteer group to complete the project or pro-
25 gram.

1 (3) AUTHORIZED PROJECTS AND PROGRAMS.—
2 Subject to paragraph (4), the Secretary concerned
3 may use a cooperative agreement to carry out
4 projects and programs for Federal land that—

5 (A) promote the stewardship of resources
6 of Federal land by volunteers;

7 (B) support maintaining the resources,
8 trails, and facilities on Federal land in a sus-
9 tainable manner;

10 (C) increase awareness, understanding,
11 and stewardship of Federal land through the
12 development, publication, or distribution of edu-
13 cational materials and products; and

14 (D) promote the use of Federal land as
15 outdoor classrooms.

16 (4) CONDITIONS ON USE OF AUTHORITY.—The
17 Secretary concerned may use a cooperative agree-
18 ment under paragraph (1) to carry out a project or
19 program for the Federal land only if the project or
20 program—

21 (A) complies with all Federal laws (includ-
22 ing regulations) and policies;

23 (B) is consistent with an applicable man-
24 agement plan for any Federal recreational lands
25 and waters involved;

1 (C) is monitored by the relevant Federal
2 land management agency during the project
3 and after project completion to determine com-
4 pliance with the instructions under paragraph
5 (2); and

6 (D) satisfies such other terms and condi-
7 tions as the Secretary concerned determines to
8 be appropriate.

9 **Subtitle B—Priority Trail**
10 **Maintenance**

11 **SEC. 411. INTERAGENCY TRAIL MANAGEMENT.**

12 (a) IN GENERAL.—The Secretaries shall establish an
13 interagency trail management plan to manage and main-
14 tain in a uniform manner trails that cross jurisdictional
15 boundaries between Federal land management agencies.

16 (b) REQUIREMENT.—The plan established under sub-
17 section (a) shall ensure compliance with all Federal laws.

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