H. R. 3458

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 HOUSE OF REPRESENTATIVES

JUNE 25, 2019

Mr. BISHOP of Utah (for himself and Mrs. DINGELL) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committees on Agriculture, Transportation and Infrastructure, Energy and Commerce, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

A BILL

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) Short Title.—This Act may be cited as the “Recreation Not Red Tape Act”.

(b) Table of Contents.—The table of contents of this Act is as follows:

1

2

3

4

5

6

7
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 National Parks and Federal Recreational Lands Pass.

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.

In this Act:

(1) FEDERAL LAND MANAGEMENT AGENCY.—

The term “Federal land management agency” has

the meaning given the term in section 802 of the

Federal Lands Recreation Enhancement Act (16

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

(3) **Secretaries.**—Except as otherwise provided in this Act, the term “Secretaries” means—

(A) the Secretary of the Interior; and

(B) the Secretary of Agriculture.

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

It is the sense of Congress that—

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

(2) access to outdoor recreation on Federal recreational lands and waters is important to the health and wellness of all people of the United States, especially young people;

(3) in addition to the overall economic benefit of outdoor recreation, the economic benefits of outdoor recreation on Federal recreational lands and waters creates significant economic and employment benefits to rural economies;
(4) Congress supports the creation of outdoor recreation sector leadership positions within State governments, as well as coordination with recreation and tourism organizations within the State to guide the growth of this sector, as evidenced by recent examples in the States of Colorado, Utah, and Washington;

(5) State and local recreation and tourism offices play a pivotal role in—

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

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

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

(D) promoting economic development in the State by coordinating with stakeholders, improving recreational opportunities, and recruiting outdoor recreation businesses;

(6) it is vital—

(A) to support the coordination and collaboration of the Federal and State land and
water management agencies in the delivery of visitor services and management of outdoor recreation for the United States; and

(B) provide adequate staffing within Federal land management agencies to facilitate sustainable and accessible outdoor recreation opportunities; and

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

TITLE I—MODERNIZING RECREATION PERMITTING

SEC. 101. DEFINITIONS.

In this title:

(1) ASSOCIATED AGENCY.—The term "associated agency" means the Federal land management agency, other than the lead agency, that manages a public land unit that is the subject of a single joint special recreation permit under section 106.

(2) LEAD AGENCY.—With respect to a single joint special recreation permit application submitted under section 106(a), the term "lead agency" means the Federal land management agency designated to administer the single joint special recreation permit under section 106(a)(2).
(3) **Long-term special recreation permit.**—The term “long-term special recreation permit” means—

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

(B) for a public land unit managed by the Bureau of Land Management, a multiyear special recreation permit.

(4) **Multijurisdictional trip.**—The term “multijurisdictional trip” means a trip that—

(A) uses two or more public land units; and

(B) is under the jurisdiction of two or more Federal land management agencies.

(5) **Public land unit.**—The term “public land unit” means—

(A) a unit of the National Forest System;

(B) a unit of the National Park System;

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

(D) a district of the Bureau of Land Management; and

(E) a project of the Bureau of Reclamation.
(6) Recreation service provider.—The term “recreation service provider” has the meaning given the term in section 802 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6801).

(7) Secretary concerned.—The term “Secretary concerned” means—

(A) the Secretary of Agriculture, with respect to a public land unit described in paragraph (5)(A); and

(B) the Secretary of the Interior, with respect to a public land unit described in subparagraph (B), (C), (D), or (E) of paragraph (5).

(8) Special recreation permit.—The term “special recreation permit” has the meaning given the term in section 802 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6801).

SEC. 102. SPECIAL RECREATION PERMIT AND FEE.

(a) Definitions.—Section 802 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6801) is amended—

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

(2) in paragraph (2), by striking “section 3(g)” and inserting “section 803(g)”;
(3) in paragraph (6), by striking “section 5” and inserting “section 805”;

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

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

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

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

(8) by inserting after paragraph (8) (as so redesignated) the following:

“(9) Recreation service provider.—The term ‘recreation service provider’ means an individual or entity that—

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

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

(9) by inserting after paragraph (12) the following:
“(13) Special recreation permit.—The term ‘special recreation permit’ means—

“(A) with respect to the Forest Service, an outfitting and guiding special use permit;

“(B) with respect to the National Park Service, a commercial use authorization for outfitting and guiding issued under—

“(i) this Act; or

“(ii) section 101925 of title 54, United States Code;

“(C) with respect to the United States Fish and Wildlife Service, a special use permit for recreational, sport fishing, or hunting outfitting and guiding;

“(D) with respect to the Bureau of Land Management, a special recreation permit for commercial outfitting and guiding; and

“(E) with respect to the Bureau of Reclamation, a use authorization for guiding, outfitting, or other recreational services.”.

(b) Special Recreation Permit and Fee.—Section 803 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6802) is amended—

(1) in subsection (b)(5), by striking “section 4(d)” and inserting “section 804(d)”;}
(2) by striking subsection (h) and inserting the following:

“(h) SPECIAL RECREATION PERMIT AND FEE.—

“(1) SPECIAL RECREATION PERMIT.—The Secretary may issue a special recreation permit for specialized individual or group uses of Federal recreational lands and waters, including—

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

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

“(C) for the use of—

“(i) a special area; or

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

“(D) motorized recreational vehicle use;

and

“(E) a group activity or event.

“(2) SPECIAL RECREATION PERMIT FEE.—

“(A) IN GENERAL.—The Secretary may charge a special recreation permit fee in connection with the issuance of a special recreation permit under paragraph (1).

“(B) FEES FOR CERTAIN LANDS.—

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

“(I) the sum of—

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

“(bb) any applicable revenue
addition; and

“(II) any applicable revenue ex-
clusion.

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

“(I) revenue from goods, services,
souvenirs, merchandise, gear, food,
and activities provided or sold by a
special recreation permit holder in a location other than the Federal recreational lands and waters covered by the permit, including transportation costs, lodging, and any other service before or after a trip; and

“(II) revenue from any recreational services provided by a special recreation permit holder for activities on Federal recreational lands and waters for which a separate permit is issued.

“(iii) ALTERNATIVE PER-PERSON FEE.—

“(I) IN GENERAL.—For Federal recreational lands and waters managed by the Forest Service, the Bureau of Land Management, the Bureau of Reclamation, or the United States Fish and Wildlife Service, the Secretary may charge a per-person fee in connection with the issuance of a special recreation permit under paragraph (1).
“(II) AMOUNT OF FEE.—The total amount charged by the Secretary in connection with the issuance of a special recreation permit under paragraph (1) using a per-person fee under subclause (I) shall be comparable to the amount the Secretary may charge for a special recreation permit fee under subparagraph (A) and clauses (i) and (ii).

“(iv) EFFECT.—Nothing in this subparagraph affects any fee for a commercial use authorization for use of Federal recreational lands and waters managed by the National Park Service.

“(C) DISCLOSURE OF FEES.—A special recreation permit holder may inform customers of any fee charged by the Secretary under this section.

“(3) SUBSTANTIALLY SIMILAR ACTIVITIES.—The Secretary shall establish a permit administration protocol that authorizes, to the maximum extent practicable, a permittee issued a special recreation permit for a public land unit (as defined in section 101 of the Recreation Not Red Tape Act) under
paragraph (1) to engage in a recreational activity that is substantially similar to the specific activity authorized under the special recreation permit, if the substantially similar recreational activity—

“(A) is comparable in type, nature, scope, and ecological setting to the specific activity authorized under the special recreation permit;

“(B) does not result in a greater impact on natural and cultural resources than the authorized activity; and

“(C) does not adversely affect any other permittee issued a special recreation permit for a public land unit under that paragraph.

“(4) REPORT.—

“(A) IN GENERAL.—The Secretary shall make available to holders of special recreation permits under paragraph (1) and the public an annual report describing the use of fees collected by the Secretary under paragraph (2).

“(B) REQUIREMENTS.—The report under subparagraph (A) shall include a description of how the fees are used in each public land unit (as defined in section 101 of the Recreation Not Red Tape Act) administered by the Secretary, including an identification of the
amounts used for specific activities within the public land unit.’’.

(c) Use of Special Recreation Permit Revenue.—Section 808 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6807) is amended—

(1) in subsection (a)(3)(F), by striking ‘‘section 6(a)’’ and inserting ‘‘section 806(a)’’;

(2) in subsection (d), by striking ‘‘section 5’’ each place it appears and inserting ‘‘section 805’’;

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

(4) by inserting after subsection (a) the following:

‘‘(b) Use of Special Recreation Permit Fee Revenue.—Revenue from a special recreation permit fee may be used for—

‘‘(1) the purposes described in subsection (a);
and

‘‘(2) expenses—

‘‘(A) associated with processing applications for special recreation permits; and

‘‘(B) incurred in the improvement of the operation of the special recreation permit system.’’

•HR 3458 IH
(d) PERMANENT AUTHORIZATION.—Section 810 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6809) is amended—

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

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

(2) by adding at the end the following:

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

“(1) section 802;

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

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

SEC. 103. PERMITTING PROCESS IMPROVEMENTS.

(a) IN GENERAL.—To simplify the process of the issuance and renewal of special recreation permits and reduce the cost of administering special recreation permits, the Secretary concerned shall—

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

(A) evaluate the special recreation permitting process; and

(B) identify opportunities—

(i) to eliminate duplicative processes;

(ii) to reduce costs; and
(iii) to decrease processing times; and

(2) not later than 180 days after the date on which the Secretary concerned completes the evaluation and identification processes under paragraph (1), revise, as necessary, relevant agency regulations and policy statements to implement the improvements identified under paragraph (1)(B).

(b) ENVIRONMENTAL REVIEWS.—

(1) IN GENERAL.—In issuing or renewing a special recreation permit, the Secretary concerned may, in compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.)—

(A) use a programmatic environmental review; and

(B) adopt or incorporate material from a previous environmental impact statement or environmental assessment.

(2) RULEMAKING.—Not later than 1 year after the date of enactment of this Act, the Secretary concerned shall promulgate such regulations as are necessary to carry out this subsection.

(c) CATEGORICAL EXCLUSIONS.—

(1) EVALUATION.—Not later than 1 year after the date of enactment of this Act, the Secretary concerned shall evaluate whether one or more additional
categorical exclusions developed in compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) would reduce processing times or costs for the issuance or renewal of special recreation permits without significantly affecting the quality of the human environment.

(2) Establishment of Categorical Exclusions.—If the Secretary concerned determines under paragraph (1) that one or more additional categorical exclusions would reduce processing times or costs for the issuance or renewal of special recreation permits without significantly affecting the quality of the human environment, the Secretary concerned shall—

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

(B) revise relevant regulations and policy statements of applicable Federal agencies to incorporate those categorical exclusions.

(3) Administration.—

(A) In General.—In administering a categorical exclusion established under paragraph (2), the Secretary concerned shall comply with
the National Environmental Policy Act of 1969
(42 U.S.C. 4321 et seq.) (including regulations
promulgated under that Act).

(B) Extraordinary circumstances.—
In determining whether to use a categorical ex-
cclusion established under paragraph (2), the
Secretary concerned shall apply the extraor-
dinary circumstances procedures described in—

(i) section 1508.4 of title 40, Code of
Federal Regulations (or a successor regula-
tion); and

(ii) as applicable—

(I) section 220.6 of title 36, Code
of Federal Regulations (or a successor
regulation); and

(II) section 46.215 of title 43,
Code of Federal Regulations (or a
successor regulation).

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

(e) Online applications.—The Secretary con-
cerned shall make applications for special recreation per-
mits available to be completed and submitted online unless
the Secretary concerned determines that making the appli-
cations available for completion and submission online
would not improve the efficiency or accessibility of the per-
mitting process.

SEC. 104. PERMIT FLEXIBILITY.

(a) VOLUNTARY RETURN OF SURPLUS SERVICE
DAYS.—The Secretary concerned shall establish a pro-
gram to allow a permittee issued a special recreation per-
mit for a public land unit to voluntarily and temporarily
return to the Secretary concerned one or more service
days, to be made available to any other existing or poten-
tial permittee.

(b) FOREST SERVICE AND BUREAU OF LAND MAN-
AGEMENT TEMPORARY SPECIAL RECREATION PER-
MITS.—

(1) IN GENERAL.—Not later than 180 days
after the date of enactment of this Act, the Sec-
retary concerned shall establish and implement a
program to authorize the issuance of temporary spe-
cial recreation permits for new or additional recre-
reational uses of Federal recreational lands and
waters managed by the Forest Service and the Bu-
reau of Land Management.
(2) Term of temporary permits.—A temporary special recreation permit issued under paragraph (1) shall be issued for a period of not more than 2 years.

(3) Conversion to long-term permit.—If the Secretary concerned determines that a permittee under paragraph (1) has completed 2 years of satisfactory operation under the permit proposed to be converted, the Secretary may provide for the conversion of a temporary special recreation permit issued under paragraph (1) to a long-term special recreation permit.

(4) Effect.—Nothing in this subsection alters or affects the authority of the Secretary to issue a special recreation permit under subsection (h)(1) of section 803 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6802).

SEC. 105. PERMIT ADMINISTRATION.

(a) Permit Availability.—

(1) Notification of permit availability.—

(A) In general.—Except as provided in subparagraphs (B) and (C), if the Secretary concerned has determined that the Department of Agriculture or the Department of the Interior, as applicable, is able to issue new special
recreation permits to recreation service providers seeking to use a public land unit, the Secretary concerned shall publish that information on the website of the agency that administers the relevant public land unit.

(B) EXCEPTION FOR CERTAIN PERMITS.—With respect to a public land unit managed by the Forest Service or the Bureau of Land Management, subparagraph (A) shall apply only to a long-term special recreation permit for the public land unit.

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

(i) a renewal or reissuance of an existing special recreation permit; or

(ii) a new special recreation permit issued to the purchaser of a recreation service provider that is the holder of an existing special recreation permit.

(D) EFFECT.—Nothing in this paragraph creates a prerequisite to the issuance of a special recreation permit or otherwise limits the authority of the Secretary concerned—
(i) to issue a new special recreation permit; or

(ii) to add a new or additional use to an existing special recreation permit.

(2) UPDATES.—The Secretary concerned shall ensure that information published on the website under this subsection is consistently updated to provide current and correct information to the public.

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

(A) establish a system by which potential special recreation permit applicants may subscribe to receive notification of the availability of special recreation permits by electronic mail;

and

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

(b) PERMIT APPLICATION ACKNOWLEDGMENT.—Not later than 60 days after the date on which the Secretary concerned receives an application for a special recreation permit for a public land unit, the Secretary concerned shall—
(1) provide to the applicant notice acknowledging receipt of the application; and

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

(B) provide to the applicant notice of a projected date for a final decision on the application.

SEC. 106. PERMITS FOR MULTIJURISDICTIONAL TRIPS.

(a) Single Joint Special Recreation Permits.—

(1) In general.—In the case of a multijurisdictional trip, the Federal land management agencies with jurisdiction over the multijurisdictional trip may offer to the applicant a single joint special recreation permit that authorizes the use of each public land unit under the jurisdiction of those Federal land management agencies.

(2) Lead agency.—In offering a single joint special recreation permit under paragraph (1), the applicable Federal land management agencies shall designate a lead agency for administering the single joint special recreation permit based on the following considerations:

(A) The length of the multijurisdictional trip and the relative portions of the multijurisdictional trip on each public land unit.
(B) The congressional or administrative designations that apply to the areas to be used during the multijurisdictional trip and the degree to which those designations impose limitations on recreational use.

(C) The relative ability of the Federal land management agencies with jurisdiction over any public land unit affected by the multijurisdictional trip to process the single joint special recreation permit application in a timely manner.

(D) Other relevant administrative considerations.

(3) APPLICATION.—An applicant desiring to be offered a single joint special recreation permit under paragraph (1) shall submit to the lead agency an application, as required by the lead agency.

(4) OPTION TO APPLY FOR SEPARATE PERMITS.—An applicant for a special recreation permit for a multijurisdictional trip may apply to each applicable Federal land management agency for a separate permit for the portion of the multijurisdictional trip on the public land unit managed by each applicable Federal land management agency.
(b) REQUIREMENTS.—In issuing a single joint special recreation permit under subsection (a), the lead agency shall—

(1) coordinate with each associated agency, consistent with the authority of the Secretary concerned under section 330 of the Department of the Interior and Related Agencies Appropriations Act, 2001 (43 U.S.C. 1703), to develop and issue 1 joint permit that covers the entirety of the multijurisdictional trip;

(2) in processing the joint special recreation permit application, incorporate the findings, interests, and needs of each associated agency;

(3) in issuing the joint special recreation permit, clearly identify the agencies that have the authority to enforce the terms, stipulations, conditions, and agreements of the joint special recreation permit, as determined under subsection (d); and

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

(c) COST RECOVERY.—Coordination with each associated agency under subsection (b) shall not be subject to cost recovery.

(d) ENFORCEMENT AUTHORITY.—
(1) Delegation of Authority to Lead Agency.—In administering a single joint special recreation permit under subsection (a), each associated agency shall delegate to the lead agency the authority—

(A) to enforce the terms, stipulations, conditions, and agreements of the joint special recreation permit, as may be required by each associated agency; and

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

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

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

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

(2) Retention of Authority by the Associated Agency.—The associated agency shall retain the authority to enforce the terms, stipulations, conditions, and agreements in the joint special recreation permit that apply specifically to the use occur-
ring on the public land unit managed by the associated agency.

(c) Withdrawal.—

(1) In general.—The lead agency or an associated agency may withdraw from a joint special recreation permit at any time.

(2) Issuance of separate permits.—

(A) In general.—In the case of a withdrawal by one or more agencies under paragraph (1), if the holder of the joint special recreation permit is in compliance with the requirements of the joint special recreation permit, the lead agency and each associated agency shall issue to the holder of the joint special recreation permit a new, separate special recreation permit for any use occurring on the public land unit managed by the agency.

(B) Requirements.—A special recreation permit issued under subparagraph (A) shall contain the same or substantially similar terms, conditions, and operating stipulations as the joint special recreation permit from which an agency has withdrawn under paragraph (1).

(C) No new application.—The holder of a joint special recreation permit from which an
agency has withdrawn under paragraph (1)
shall not be required to submit a new applica-
tion for a separate special recreation permit.

SEC. 107. FOREST SERVICE PERMIT USE REVIEWS.

(a) In General.—If the Secretary of Agriculture
(referred to in this section as the “Secretary”) conducts
a special recreation permit use review in renewing a spe-
cial recreation permit or adjusting allocations of use in
a special recreation permit, the Secretary shall—

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

(2) if the special recreation permit holder re-
ceives a satisfactory performance review, allocate to
the special recreation permit holder the highest level
of actual annual use during the period under review
plus 25 percent of that use, not to exceed the level
allocated to the special recreation permit holder on
the date on which the special recreation permit was
issued.

(b) Additional Capacity.—

(1) In General.—If additional use capacity is
available, the Secretary may, at any time, assign the
remaining use to one or more qualified recreation
service providers.
(2) Assignment not subject to cap on use.—Notwithstanding subsection (a), in assigning additional use capacity under paragraph (1), the Secretary may assign additional use capacity to an existing special recreation permit holder even if that assignment would exceed the amount of use allocated to the special recreation permit holder on the date on which the special recreation permit was issued.

(c) Waiver.—The Secretary may waive a special recreation permit use review for any period during which use of the assigned capacity for the special recreation permit has been prevented by a circumstance beyond the control of the special recreation permit holder, such as—

(1) unfavorable weather;

(2) fire;

(3) natural disaster;

(4) wildlife displacement;

(5) business interruption;

(6) insufficient availability of hunting and fishing licenses; or

(7) significant seasonal variability or off-peak periods within the allocated period of use.

(d) Approval of non-use.—
(1) IN GENERAL.—In any circumstance for which the holder of a special recreation permit would qualify for a waiver under subsection (c), on request of the holder of the special recreation permit, the Secretary may approve non-use by the holder of the special recreation permit without reducing the number of service days assigned to the special recreation permit.

(2) REALLOCATION OF USE.—The Secretary may assign any period of non-use approved under paragraph (1) to another qualified recreation service provider.

SEC. 108. LIABILITY.

(a) IN GENERAL.—To the extent authorized by applicable State law, the Secretary concerned shall authorize a permittee issued a special recreation permit for a public land unit under section 803(h) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6802(h)) to require a client of the permittee to sign a form that—

(1) releases the permittee and any agents, employees, and other persons affiliated with the permittee from liability for ordinary negligence that arises out of or in connection with the authorized activities of the permittee;
(2) requires the client to indemnify and hold harmless the permittee and any agents, employees, and other persons affiliated with the permittee for any injury or damages the permittee may sustain as a result of any claim other than gross negligence that is caused by or arises out of or in connection with the involvement of the client in the authorized activities of the permittee;

(3) releases the United States and any agents, employees, and contractors of the United States from liability for ordinary negligence that arises out of or in connection with the authorized activities of the permittee; and

(4) requires the client to indemnify and hold harmless the United States and any agents, employees, and contractors of the United States for any injury or damages the United States or any agents, employees, and contractors of the United States may sustain as a result of any claim other than gross negligence that is caused by or arises out of or in connection with the involvement of the client in the authorized activities of the permittee.

(b) REQUIREMENTS.—A form under subsection (a)—

(1) shall not preclude claims of gross negligence against the permittee;
(2) shall not eliminate the obligation of the permittee to indemnify the United States unless the permittee is a recreation service provider that meets the requirements of subsection (c);

(3) shall not affect the ability of the United States to recover as an additional insured under any insurance policy obtained by the permittee in connection with the authorized activities of the permittee;

(4) shall identify the State under the laws of which—

(A) the form, including any waiver or release, shall be enforced; and

(B) any claim or cause of action, whether in tort or in contract, relating to or arising out of the form shall be governed; and

(5) may be subject to review and approval by the Secretary concerned to ensure that the requirements of this section are met.

(c) INDEMNIFICATION BY GOVERNMENT ENTITIES.—The Secretary concerned may not require a recreation service provider to indemnify the United States as a condition for issuing a special recreation permit for a public land unit under section 803(h) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6802(h)) if—
(1) the recreation service provider is prohibited
by State or local law from providing indemnification
to the United States; and

(2) the recreation service provider—

(A) carries the minimum amount of liability
insurance coverage required by the issuing
agency for the activities conducted under the
special recreation permit; or

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

SEC. 109. COST RECOVERY REFORM.

(a) Revision of Regulations.—

(1) In general.—Not later than 1 year after
the date of enactment of this Act, the Secretary of
Agriculture shall revise section 251.58 of title 36,
Code of Federal Regulations, and the Secretary of
the Interior shall revise section 2932.31 of title 43,
Code of Federal Regulations, to be consistent with
this section.

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

(b) De Minimis Exemption From Cost Recovery.—
35

(1) IN GENERAL.—Any regulation promulgated by the Secretary of the Interior or the Secretary of Agriculture to establish fees to recover the costs of processing an application for a special recreation permit or monitoring an authorization under a special recreation permit shall include an exemption providing that fees may not be recovered for not less than the first 50 hours of work necessary in any 1 year to process the application or monitor the authorization.

(2) MULTIPLE APPLICATIONS.—In situations involving multiple applications for special recreation permits for similar services in the same public land unit or area that, in the aggregate, require more hours to process than are exempt under the regulations promulgated under paragraph (1), the Secretary concerned shall, regardless of whether the applications are solicited or unsolicited and whether there is competitive interest—

(A) determine the share of the aggregate quantity of hours to be allocated to each application on an equal or prorated basis, as appropriate; and

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

(c) Cost Reduction.—To the maximum extent
practicable, the Secretary concerned processing an appli-
cation for a special recreation permit shall use existing
studies and analysis to reduce the quantity of work and
costs necessary to process the application.

SEC. 110. EXTENSION OF SPECIAL RECREATION PERMITS.

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

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

(c) Responsibility of the Secretary Con-
cerned.—Before allowing the expiration of a permit to
be tolled under subsection (a), the Secretary concerned,
to the maximum extent practicable, shall complete the re-
newal process.
SEC. 111. AVAILABILITY OF FEDERAL AND STATE RECREATION PASSES.

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

"SEC. 805A. AVAILABILITY OF FEDERAL AND STATE RECREATION PASSES.

"(a) ESTABLISHMENT OF PROGRAM.—

"(1) IN GENERAL.—To improve the availability of Federal and State outdoor recreation passes, the Secretaries are encouraged to consult with States to coordinate the availability of Federal and State recreation passes to allow a purchaser to buy a Federal recreation pass and a State recreation pass in the same transaction.

"(2) INCLUDED PASSES.—Passes covered by the program established under paragraph (1) include—

"(A) an America the Beautiful—the National Parks and Federal Recreational Lands Pass under section 805; and

"(B) any pass covering any fees charged by participating States and localities for entrance and recreational use of parks and public land in the participating States.

"(b) AGREEMENTS WITH STATES.—
“(1) In general.—The Secretaries, after consultation with the States, may enter into agreements with States to coordinate the availability of passes as described in subsection (a).

“(2) Revenue from pass sales.—The agreements between the Secretaries and the States shall ensure that—

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

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

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

“(3) Notice.—In entering into an agreement under paragraph (1), the Secretaries shall publish in the Federal Register a notice describing the agreement.”.

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

“Sec. 805A. Availability of Federal and State recreation passes.”.
SEC. 112. ONLINE PURCHASES OF AMERICA THE BEAUTIFUL—THE NATIONAL PARKS AND FEDERAL RECREATIONAL LANDS PASS.

(a) IN GENERAL.—Section 805(a)(6) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6804(a)(6)) is amended by striking subparagraph (A) and inserting the following:

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

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

“(ii) at such other locations as the Secretaries consider appropriate and feasible; and

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

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

“(II) information about where and when passes are needed.”.
(b) Entrance Pass and Amenity Fees.—The Secretaries shall make available for payment online, if appropriate and feasible, for each public land unit where passes and fees are required—

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

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

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

TITLE II—ACCESSING THE OUTDOORS

SEC. 201. ACCESS FOR SERVICEMEMBERS AND VETERANS.

(a) In General.—The Secretaries are encouraged to work with the Secretary of Defense and the Secretary of Veterans Affairs to ensure servicemembers and veterans have access to outdoor recreation and to outdoor-related volunteer and wellness programs as a part of the basic services provided to servicemembers and veterans.

(b) Inclusion of Information.—Each branch of the Armed Forces is encouraged to include information regarding outdoor recreation and outdoors-based careers in the materials and counseling services focused on resil-
ience and career readiness provided in transition pro-
grams, including—

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

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

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

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

(d) VETERAN HIRING.—The Secretaries are strongly
couraged to hire veterans in all positions related to the
management of Federal recreational lands and waters.
TITLE III—MAKING RECREATION A PRIORITY

SEC. 301. EXTENSION OF SEASONAL RECREATION OPPORTUNITIES.

(a) IN GENERAL.—

(1) EXTENSION OF RECREATIONAL SEASON.—
The relevant unit managers of Federal recreational lands and waters managed by the Forest Service, the Bureau of Land Management, and the National Park Service may—

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

(B) where appropriate, extend the recreational season or increase recreation use in a sustainable manner during the offseason; and

(C) make information about extended season schedules and related recreational opportunities available to the public and local communities.

(2) CLARIFICATION.—Nothing in this subsection precludes the Secretaries from providing for additional recreational opportunities and uses at times other than those referred to in paragraph (1).
(b) INCLUSIONS.—An extension under subsection (a)(1) may include—

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

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

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

SEC. 302. RECREATION PERFORMANCE METRICS.

(a) IN GENERAL.—The Chief of the Forest Service and the Director of the Bureau of Land Management shall evaluate land managers under their jurisdiction based on the achievement of applicable agency recreational and tourism metrics as described in applicable land management plans.

(b) METRICS.—

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

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

(B) the ability of the land manager to enhance the outdoor experience of the visitor.

(2) INCLUSIONS.—The metrics referred to paragraph (1) shall include—
(A) the extent of positive economic impacts;

(B) visitation by families;

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

(D) the number of available recreational opportunities;

(E) the quality of visitor experience;

(F) the number of recreational and environmental educational programs offered;

(G) visitor satisfaction; and

(H) the maintenance and expansion of existing recreation infrastructure.

SEC. 303. RECREATION MISSION.

(a) DEFINITION OF FEDERAL AGENCY.—In this section, the term “Federal agency” means each of—

(1) the Corps of Engineers;

(2) the Bureau of Reclamation;

(3) the Federal Energy Regulatory Commission;

and

(4) the Department of Transportation.

(b) MISSION.—With respect to the mission of the Federal agency, each Federal agency shall consider how land and water management decisions can enhance recreation opportunities and the recreation economy.
SEC. 304. NATIONAL RECREATION AREA SYSTEM.

(a) DECLARATION OF POLICY.—It is the policy of the United States that certain Federal land possesses remarkable recreational values and should be managed for—

(1) sustainable outdoor recreational uses by the people of the United States;

(2) the recreational, social, and health benefits people receive from the Federal land through outdoor recreation; and

(3) the specific and meaningful experiences made possible by unique and varied landscapes.

(b) DEFINITIONS.—In this section:

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

(2) REMARKABLE RECREATIONAL ATTRIBUTE.—The term “remarkable recreational attribute” means, with respect to an area—

(A) a natural feature that supports high-quality outdoor recreation opportunities and experiences;

(B) a unique cultural or historic feature or attribute that supports high-quality recreation opportunities and experiences;

(C) the offering of outstanding existing or prospective recreation opportunities and uses;
(D) having an important role in, and con-
tributing significantly, to the outdoor recreation
economy; and

(E) having high fish and wildlife values.

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

(A) the Secretary of the Interior, acting
through the Director of the Bureau of Land
Management with respect to land administered
by the Bureau of Land Management; and

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

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

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

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

(1) existing National Recreation Areas under
the jurisdiction of the Bureau of Land Management
or the Forest Service described in subsection (g);
and
(2) new System units designated by Congress on or after the date of enactment of this Act.

(d) ADMINISTRATION.—

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

(A) prioritizes the sustainable enjoyment and enhancement of the remarkable recreational attributes, natural features, and uses of the System unit consistent with subsection (a); and

(B) protects the System unit for a variety of recreational uses (including outfitting and guiding, motorized recreation, hunting and fishing, horseback riding, and biking) in locations where those uses are appropriate and are conducted in accordance with the applicable land management plan and all applicable Federal and State laws (including regulations).

(2) GRAZING.—Livestock grazing within System units, where established before the date of the enactment of this Act, shall be permitted if the grazing complies with all applicable laws (including regulations).
(3) STATE, TRIBAL, AND LOCAL INVOLVEMENT.—The Secretary shall consult with States, political subdivisions of States, affected Indian Tribes, adjacent landowners, and the public in the administration of System units.

(4) FISH AND WILDLIFE.—Nothing in this section affects the jurisdiction or responsibilities of a State with respect to fish and wildlife in a System unit in the State.

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

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

(e) COMPONENTS OF NATIONAL RECREATION AREA SYSTEM.—

(1) MAP; LEGAL DESCRIPTION.—

(A) IN GENERAL.—For System units designated by an Act of Congress after the date of enactment of this Act, as soon as practicable after the date of designation of a System unit,
the Secretary shall prepare a map and legal description of the System unit.

(B) Force of Law.—The map and legal description filed under subparagraph (A) shall have the same force and effect as if included in this section, except that the Secretary may correct typographical errors in the map and legal description.

(C) Public Availability.—The map and legal description filed under subparagraph (A) shall be on file and available for public inspection in the offices of the Bureau of Land Management and the Forest Service, as appropriate.

(2) Comprehensive Management Plan.—

(A) In General.—For System units designated by an Act of Congress after the date of enactment of this Act the Secretary with jurisdiction over the System unit shall prepare a comprehensive management plan for the unit that fulfills the requirements of subsection (d)(1) and subparagraph (C).

(B) Timing.—

(i) In General.—The comprehensive management plan described in subparagraph (A) shall be completed as part of the
regular land use management planning process of the applicable agency on which the System unit is located.

(ii) **Delay in Plan Revision.**—If the planning cycle of the applicable agency does not coincide with the designation of the System unit, the initial plan for the unit shall be completed not later than 3 years after the date of designation of the System unit.

(C) **Requirements.**—A comprehensive management plan prepared under subparagraph (A) shall—

(i) identify the existing, and to the extent practicable, prospective remarkable recreational attributes of the System unit;

(ii) ensure the System unit is managed to protect and enhance the purposes for which the System unit was established;

(iii) ensure the System unit is managed to protect and enhance the resources that make the area suitable for designation under subsection (c)(2) in accordance with subsection (a);
(iv) describe the circumstances and locations in which the activities described in paragraphs (1)(B) and (2) of subsection (d) are permitted on the System unit;

(v) be coordinated with resource management planning for affected adjacent Federal land, if applicable;

(vi) be prepared—

(I) in accordance with—

(aa) as applicable, the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) or section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604); and

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

(II) in consultation with States, political subdivisions of States, affected Indian Tribes, adjacent landowners, and the public; and

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

(D) REVIEW.—A comprehensive management plan described in subparagraph (A) shall be regularly reviewed and updated as part of the regular land management planning process of the applicable agency.

(E) MANAGEMENT BY SECRETARY.—

(i) IN GENERAL.—The Secretary shall manage a National Recreation Area described in subsection (g) in accordance with the management plan for the National Recreation Area in effect on the date of enactment of this Act, until the date on which the plan is revised or superseded by a new comprehensive management plan issued in accordance with this paragraph.

(ii) PLAN REVISION.—If one or more components of an existing management plan referred to in clause (i) conflict with this section, not later than 2 years after the date of enactment of this Act, the Secretary shall revise the plan to make the plan consistent with this section.
(F) NOTICE.—The Secretary shall publish
in the Federal Register notice of the completion
and availability of a plan prepared under this
paragraph.

(f) POTENTIAL ADDITIONS TO NATIONAL RECREATION AREA SYSTEM.—

(1) ELIGIBLE AREA.—An area eligible for inclusion in the System is an area that possesses one or more remarkable recreational attributes.

(2) POTENTIAL ADDITIONS.—In carrying out the land management planning process, the Secretary shall—

(A) identify eligible areas that possess one or more remarkable recreational attributes;

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

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

(D) transmit to Congress lists of eligible areas for consideration.

(g) EXISTING NATIONAL RECREATION AREAS.—
Each National Recreation Area established before the date of enactment of this Act that is under the jurisdiction of
the Bureau of Land Management or the Forest Service
shall be—

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

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

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

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

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

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

(1) of the Secretary to prepare or implement a
land use plan in accordance with section 202 of the
Federal Land Policy and Management Act of 1976
(43 U.S.C. 1712) or section 6 of the Forest and
Rangeland Renewable Resources Planning Act of
1974 (16 U.S.C. 1604);
(2) under the Endangered Species Act of 1973
(16 U.S.C. 1531 et seq.);
(3) under the Federal Water Pollution Control
Act (33 U.S.C. 1251 et seq.); or
(4) under any other applicable law.

(j) APPLICABILITY OF OTHER LAND MANAGEMENT
DESIGNATIONS.—Nothing in this section affects—
(1) any other land or water management des-
ignation under any other provision of law; or
(2) any obligation to comply with a requirement
applicable to such a designation.

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

TITLE IV—MAINTENANCE OF
PUBLIC LAND
Subtitle A—Volunteers
SEC. 401. PRIVATE-SECTOR VOLUNTEER ENHANCEMENT
PROGRAM.

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

(b) DEFINITIONS.—In this section:

(1) SECRETARY CONCERNED.—The term “Secretary concerned” means—

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

(B) the Secretary of the Interior, with respect to land managed by the Bureau of Land Management.

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

(c) ESTABLISHMENT.—The Secretary concerned shall carry out a program under which the Secretary concerned shall—

(1) enhance private-sector volunteer programs;

(2) actively promote private-sector volunteer opportunities; and

(3) provide outreach to, and coordinate with, the private sector for the purposes described in paragraphs (1) and (2).

(d) COOPERATIVE AGREEMENTS FOR STEWARDSHIP OF FEDERAL LAND.—
(1) Authority to enter into agreements.—The Secretary concerned may enter into cooperative agreements (in accordance with section 6305 of title 31, United States Code) with private agencies, organizations, institutions, corporations, individuals, or other entities to carry out one or more projects or programs with a Federal land management agency in accordance with this section.

(2) Project and program instructions.—The Secretary concerned shall include in the cooperative agreement the desired outcomes of the project or program and the guidelines for the volunteers to follow, including—

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

(B) the equipment the volunteers are authorized to use to complete the project or program;

(C) the training the volunteers are required to complete, including agency consideration and incorporation of training offered by qualified nongovernmental organizations and volunteer partner organizations;
(D) the actions the volunteers are authorized to take to complete the project or program; and

(E) any other information that the Secretary concerned determines necessary for the volunteer group to complete the project or program.

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

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

(B) support maintaining the resources, trails, and facilities on Federal land in a sustainable manner;

(C) increase awareness, understanding, and stewardship of Federal land through the development, publication, or distribution of educational materials and products; and

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

(4) CONDITIONS ON USE OF AUTHORITY.—The Secretary concerned may use a cooperative agreement under paragraph (1) to carry out a project or
program for the Federal land only if the project or program—

(A) complies with all Federal laws (including regulations) and policies;

(B) is consistent with an applicable management plan for any Federal recreational lands and waters involved;

(C) is monitored by the relevant Federal land management agency during the project and after project completion to determine compliance with the instructions under paragraph (2); and

(D) satisfies such other terms and conditions as the Secretary concerned determines to be appropriate.

Subtitle B—Priority Trail Maintenance

SEC. 411. INTERAGENCY TRAIL MANAGEMENT.

(a) IN GENERAL.—The Secretaries shall establish an interagency trail management plan to manage and maintain in a uniform manner trails that cross jurisdictional boundaries between Federal land management agencies.

(b) REQUIREMENT.—The plan established under subsection (a) shall ensure compliance with all Federal laws.