

116TH CONGRESS
1ST SESSION

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.

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 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.**

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).

1 (2) FEDERAL RECREATIONAL LANDS AND
2 WATERS.—The term “Federal recreational lands and
3 waters” has the meaning given the term in section
4 802 of the Federal Lands Recreation Enhancement
5 Act (16 U.S.C. 6801).

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

8 (A) the Secretary of the Interior; and

9 (B) the Secretary of Agriculture.

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

12 It is the sense of Congress that—

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

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

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

1 (4) Congress supports the creation of outdoor
2 recreation sector leadership positions within State
3 governments, as well as coordination with recreation
4 and tourism organizations within the State to guide
5 the growth of this sector, as evidenced by recent ex-
6 amples in the States of Colorado, Utah, and Wash-
7 ington;

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

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

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

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

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

23 (6) it is vital—

24 (A) to support the coordination and col-
25 laboration of the Federal and State land and

1 water management agencies in the delivery of
2 visitor services and management of outdoor
3 recreation for the United States; and

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

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

10 **TITLE I—MODERNIZING** 11 **RECREATION PERMITTING**

12 **SEC. 101. DEFINITIONS.**

13 In this title:

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

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

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

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

6 (B) for a public land unit managed by the
7 Bureau of Land Management, a multiyear spe-
8 cial recreation permit.

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

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

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

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

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

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

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

21 (D) a district of the Bureau of Land Man-
22 agement; and

23 (E) a project of the Bureau of Reclama-
24 tion.

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

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

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

10 (B) the Secretary of the Interior, with re-
11 spect to a public land unit described in sub-
12 paragraph (B), (C), (D), or (E) of paragraph
13 (5).

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

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

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

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

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

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

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

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

7 (6) in paragraph (13), by striking “section
8 3(h)” and inserting “section 803(h)”;

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

14 (8) by inserting after paragraph (8) (as so re-
15 designated) the following:

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

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

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

23 (9) by inserting after paragraph (12) the fol-
24 lowing:

1 “(13) SPECIAL RECREATION PERMIT.—The
2 term ‘special recreation permit’ means—

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

5 “(B) with respect to the National Park
6 Service, a commercial use authorization for out-
7 fitting and guiding issued under—

8 “(i) this Act; or

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

11 “(C) with respect to the United States
12 Fish and Wildlife Service, a special use permit
13 for recreational, sport fishing, or hunting outfit-
14 ting and guiding;

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

18 “(E) with respect to the Bureau of Rec-
19 lamation, a use authorization for guiding, out-
20 fitting, or other recreational services.”.

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

24 (1) in subsection (b)(5), by striking “section
25 4(d)” and inserting “section 804(d)”; and

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

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

4 “(1) SPECIAL RECREATION PERMIT.—The Sec-
5 retary may issue a special recreation permit for spe-
6 cialized individual or group uses of Federal rec-
7 reational lands and waters, including—

8 “(A) outfitting, guiding, or other recre-
9 ation services;

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

12 “(C) for the use of—

13 “(i) a special area; or

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

15 “(D) motorized recreational vehicle use;

16 and

17 “(E) a group activity or event.

18 “(2) SPECIAL RECREATION PERMIT FEE.—

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

23 “(B) FEES FOR CERTAIN LANDS.—

24 “(i) IN GENERAL.—Subject to clauses

25 (ii) and (iii), a special recreation permit fee

1 under subparagraph (A) for use of Federal
2 recreational lands and waters managed by
3 the Forest Service, the Bureau of Land
4 Management, the Bureau of Reclamation,
5 or the United States Fish and Wildlife
6 Service shall not exceed the difference be-
7 tween—

8 “(I) the sum of—

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

14 “(bb) any applicable revenue
15 addition; and

16 “(II) any applicable revenue ex-
17 clusion.

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

23 “(I) revenue from goods, services,
24 souvenirs, merchandise, gear, food,
25 and activities provided or sold by a

1 special recreation permit holder in a
2 location other than the Federal rec-
3 reational lands and waters covered by
4 the permit, including transportation
5 costs, lodging, and any other service
6 before or after a trip; and

7 “(II) revenue from any rec-
8 reational services provided by a spe-
9 cial recreation permit holder for ac-
10 tivities on Federal recreational lands
11 and waters for which a separate per-
12 mit is issued.

13 “(iii) ALTERNATIVE PER-PERSON
14 FEE.—

15 “(I) IN GENERAL.—For Federal
16 recreational lands and waters man-
17 aged by the Forest Service, the Bu-
18 reau of Land Management, the Bu-
19 reau of Reclamation, or the United
20 States Fish and Wildlife Service, the
21 Secretary may charge a per-person fee
22 in connection with the issuance of a
23 special recreation permit under para-
24 graph (1).

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

11 “(iv) EFFECT.—Nothing in this sub-
12 paragraph affects any fee for a commercial
13 use authorization for use of Federal rec-
14 reational lands and waters managed by the
15 National Park Service.

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

20 “(3) SUBSTANTIALLY SIMILAR ACTIVITIES.—
21 The Secretary shall establish a permit administra-
22 tion protocol that authorizes, to the maximum extent
23 practicable, a permittee issued a special recreation
24 permit for a public land unit (as defined in section
25 101 of the Recreation Not Red Tape Act) under

1 paragraph (1) to engage in a recreational activity
2 that is substantially similar to the specific activity
3 authorized under the special recreation permit, if the
4 substantially similar recreational activity—

5 “(A) is comparable in type, nature, scope,
6 and ecological setting to the specific activity au-
7 thorized under the special recreation permit;

8 “(B) does not result in a greater impact on
9 natural and cultural resources than the author-
10 ized activity; and

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

14 “(4) REPORT.—

15 “(A) IN GENERAL.—The Secretary shall
16 make available to holders of special recreation
17 permits under paragraph (1) and the public an
18 annual report describing the use of fees col-
19 lected by the Secretary under paragraph (2).

20 “(B) REQUIREMENTS.—The report under
21 subparagraph (A) shall include a description of
22 how the fees are used in each public land unit
23 (as defined in section 101 of the Recreation
24 Not Red Tape Act) administered by the Sec-
25 retary, including an identification of the

1 amounts used for specific activities within the
2 public land unit.”.

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

6 (1) in subsection (a)(3)(F), by striking “section
7 6(a)” and inserting “section 806(a)”;

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

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

12 (4) by inserting after subsection (a) the fol-
13 lowing:

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

17 “(1) the purposes described in subsection (a);
18 and

19 “(2) expenses—

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

22 “(B) incurred in the improvement of the
23 operation of the special recreation permit sys-
24 tem.”.

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

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

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

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

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

11 “(1) section 802;

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

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

14 **SEC. 103. PERMITTING PROCESS IMPROVEMENTS.**

15 (a) IN GENERAL.—To simplify the process of the
16 issuance and renewal of special recreation permits and re-
17 duce the cost of administering special recreation permits,
18 the Secretary concerned shall—

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

21 (A) evaluate the special recreation permit-
22 ting process; and

23 (B) identify opportunities—

24 (i) to eliminate duplicative processes;

25 (ii) to reduce costs; and

1 (iii) to decrease processing times; and
2 (2) not later than 180 days after the date on
3 which the Secretary concerned completes the evalua-
4 tion and identification processes under paragraph
5 (1), revise, as necessary, relevant agency regulations
6 and policy statements to implement the improve-
7 ments identified under paragraph (1)(B).

8 (b) ENVIRONMENTAL REVIEWS.—

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

13 (A) use a programmatic environmental re-
14 view; and

15 (B) adopt or incorporate material from a
16 previous environmental impact statement or en-
17 vironmental assessment.

18 (2) RULEMAKING.—Not later than 1 year after
19 the date of enactment of this Act, the Secretary con-
20 cerned shall promulgate such regulations as are nec-
21 essary to carry out this subsection.

22 (c) CATEGORICAL EXCLUSIONS.—

23 (1) EVALUATION.—Not later than 1 year after
24 the date of enactment of this Act, the Secretary con-
25 cerned shall evaluate whether one or more additional

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

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

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

19 (B) revise relevant regulations and policy
20 statements of applicable Federal agencies to in-
21 corporate those categorical exclusions.

22 (3) ADMINISTRATION.—

23 (A) IN GENERAL.—In administering a cat-
24 egorical exclusion established under paragraph
25 (2), the Secretary concerned shall comply with

1 the National Environmental Policy Act of 1969
2 (42 U.S.C. 4321 et seq.) (including regulations
3 promulgated under that Act).

4 (B) EXTRAORDINARY CIRCUMSTANCES.—
5 In determining whether to use a categorical ex-
6 clusion established under paragraph (2), the
7 Secretary concerned shall apply the extraor-
8 dinary circumstances procedures described in—

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

12 (ii) as applicable—

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

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

19 (d) 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 (e) 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) 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 one or more service
12 days, to be made available to any other existing or poten-
13 tial permittee.

14 (b) 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; or

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

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

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

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

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

21 (b) PERMIT APPLICATION ACKNOWLEDGMENT.—Not
22 later than 60 days after the date on which the Secretary
23 concerned receives an application for a special recreation
24 permit for a public land unit, the Secretary concerned
25 shall—

1 (1) provide to the applicant notice acknowl-
2 edging receipt of the application; and

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

5 (B) provide to the applicant notice of a pro-
6 jected date for a final decision on the application.

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

8 (a) SINGLE JOINT SPECIAL RECREATION PER-
9 MITS.—

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

17 (2) LEAD AGENCY.—In offering a single joint
18 special recreation permit under paragraph (1), the
19 applicable Federal land management agencies shall
20 designate a lead agency for administering the single
21 joint special recreation permit based on the following
22 considerations:

23 (A) The length of the multijurisdictional
24 trip and the relative portions of the multijuris-
25 dictional trip on each public land unit.

1 (B) The congressional or administrative
2 designations that apply to the areas to be used
3 during the multijurisdictional trip and the de-
4 gree to which those designations impose limita-
5 tions on recreational use.

6 (C) The relative ability of the Federal land
7 management agencies with jurisdiction over any
8 public land unit affected by the multijuris-
9 dictional trip to process the single joint special
10 recreation permit application in a timely man-
11 ner.

12 (D) Other relevant administrative consider-
13 ations.

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

18 (4) OPTION TO APPLY FOR SEPARATE PER-
19 MITS.—An applicant for a special recreation permit
20 for a multijurisdictional trip may apply to each ap-
21 plicable Federal land management agency for a sep-
22 arate permit for the portion of the multijuris-
23 dictional trip on the public land unit managed by
24 each applicable Federal land management agency.

1 (b) REQUIREMENTS.—In issuing a single joint special
2 recreation permit under subsection (a), the lead agency
3 shall—

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

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

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

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

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

24 (d) ENFORCEMENT AUTHORITY.—

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

6 (A) to enforce the terms, stipulations, con-
7 ditions, and agreements of the joint special
8 recreation permit, as may be required by each
9 associated agency; and

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

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

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

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

20 (2) RETENTION OF AUTHORITY BY THE ASSOCI-
21 ATED AGENCY.—The associated agency shall retain
22 the authority to enforce the terms, stipulations, con-
23 ditions, and agreements in the joint special recre-
24 ation permit that apply specifically to the use occur-

1 ring on the public land unit managed by the associ-
2 ated agency.

3 (e) WITHDRAWAL.—

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

7 (2) ISSUANCE OF SEPARATE PERMITS.—

8 (A) IN GENERAL.—In the case of a with-
9 drawal by one or more agencies under para-
10 graph (1), if the holder of the joint special
11 recreation permit is in compliance with the re-
12 quirements of the joint special recreation per-
13 mit, the lead agency and each associated agency
14 shall issue to the holder of the joint special
15 recreation permit a new, separate special recre-
16 ation permit for any use occurring on the public
17 land unit managed by the agency.

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

24 (C) NO NEW APPLICATION.—The holder of
25 a joint special recreation permit from which an

1 agency has withdrawn under paragraph (1)
2 shall not be required to submit a new applica-
3 tion for a separate special recreation permit.

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

5 (a) IN GENERAL.—If the Secretary of Agriculture
6 (referred to in this section as the “Secretary”) conducts
7 a special recreation permit use review in renewing a spe-
8 cial recreation permit or adjusting allocations of use in
9 a special recreation permit, the Secretary shall—

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

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

21 (b) ADDITIONAL CAPACITY.—

22 (1) IN GENERAL.—If additional use capacity is
23 available, the Secretary may, at any time, assign the
24 remaining use to one or more qualified recreation
25 service providers.

1 (2) ASSIGNMENT NOT SUBJECT TO CAP ON
2 USE.—Notwithstanding subsection (a), in assigning
3 additional use capacity under paragraph (1), the
4 Secretary may assign additional use capacity to an
5 existing special recreation permit holder even if that
6 assignment would exceed the amount of use allo-
7 cated to the special recreation permit holder on the
8 date on which the special recreation permit was
9 issued.

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

15 (1) unfavorable weather;

16 (2) fire;

17 (3) natural disaster;

18 (4) wildlife displacement;

19 (5) business interruption;

20 (6) insufficient availability of hunting and fish-
21 ing licenses; or

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

24 (d) APPROVAL OF NON-USE.—

1 (1) IN GENERAL.—In any circumstance for
2 which the holder of a special recreation permit would
3 qualify for a waiver under subsection (c), on request
4 of the holder of the special recreation permit, the
5 Secretary may approve non-use by the holder of the
6 special recreation permit without reducing the num-
7 ber of service days assigned to the special recreation
8 permit.

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

13 **SEC. 108. LIABILITY.**

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

20 (1) releases the permittee and any agents, em-
21 ployees, and other persons affiliated with the per-
22 mittee from liability for ordinary negligence that
23 arises out of or in connection with the authorized ac-
24 tivities of the permittee;

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

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

14 (4) requires the client to indemnify and hold
15 harmless the United States and any agents, employ-
16 ees, and contractors of the United States for any in-
17 jury or damages the United States or any agents,
18 employees, and contractors of the United States may
19 sustain as a result of any claim other than gross
20 negligence that is caused by or arises out of or in
21 connection with the involvement of the client in the
22 authorized activities of the permittee.

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

24 (1) shall not preclude claims of gross negligence
25 against the permittee;

1 (2) shall not eliminate the obligation of the per-
2 mittee to indemnify the United States unless the
3 permittee is a recreation service provider that meets
4 the requirements of subsection (c);

5 (3) shall not affect the ability of the United
6 States to recover as an additional insured under any
7 insurance policy obtained by the permittee in con-
8 nection with the authorized activities of the per-
9 mittee;

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

12 (A) the form, including any waiver or re-
13 lease, shall be enforced; and

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

17 (5) may be subject to review and approval by
18 the Secretary concerned to ensure that the require-
19 ments of this section are met.

20 (c) INDEMNIFICATION BY GOVERNMENT ENTITIES.—

21 The Secretary concerned may not require a recreation
22 service provider to indemnify the United States as a condi-
23 tion for issuing a special recreation permit for a public
24 land unit under section 803(h) of the Federal Lands
25 Recreation Enhancement Act (16 U.S.C. 6802(h)) if—

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

4 (2) the recreation service provider—

5 (A) carries the minimum amount of liabil-
6 ity insurance coverage required by the issuing
7 agency for the activities conducted under the
8 special recreation permit; or

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

10 **SEC. 109. COST RECOVERY REFORM.**

11 (a) REVISION OF REGULATIONS.—

12 (1) IN GENERAL.—Not later than 1 year after
13 the date of enactment of this Act, the Secretary of
14 Agriculture shall revise section 251.58 of title 36,
15 Code of Federal Regulations, and the Secretary of
16 the Interior shall revise section 2932.31 of title 43,
17 Code of Federal Regulations, to be consistent with
18 this section.

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

24 (b) DE MINIMIS EXEMPTION FROM COST RECOV-
25 ERY.—

1 (1) IN GENERAL.—Any regulation promulgated
2 by the Secretary of the Interior or the Secretary of
3 Agriculture to establish fees to recover the costs of
4 processing an application for a special recreation
5 permit or monitoring an authorization under a spe-
6 cial recreation permit shall include an exemption
7 providing that fees may not be recovered for not less
8 than the first 50 hours of work necessary in any 1
9 year to process the application or monitor the au-
10 thorization.

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

20 (A) determine the share of the aggregate
21 quantity of hours to be allocated to each appli-
22 cation on an equal or prorated basis, as appro-
23 priate; and

24 (B) for each application, apply a separate
25 exemption as specified in the regulations pro-

1 mulgated under paragraph (1) to the share of
2 the aggregate hours allocated to the application.

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

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

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

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

19 (c) RESPONSIBILITY OF THE SECRETARY CON-
20 CERNED.—Before allowing the expiration of a permit to
21 be tolled under subsection (a), the Secretary concerned,
22 to the maximum extent practicable, shall complete the re-
23 newal process.

1 **SEC. 111. AVAILABILITY OF FEDERAL AND STATE RECRE-**
2 **ATION PASSES.**

3 (a) IN GENERAL.—The Federal Lands Recreation
4 Enhancement Act is amended by inserting after section
5 805 (16 U.S.C. 6804) the following:

6 **“SEC. 805A. AVAILABILITY OF FEDERAL AND STATE RECRE-**
7 **ATION PASSES.**

8 “(a) ESTABLISHMENT OF PROGRAM.—

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

16 “(2) INCLUDED PASSES.—Passes covered by
17 the program established under paragraph (1) in-
18 clude—

19 “(A) an America the Beautiful—the Na-
20 tional Parks and Federal Recreational Lands
21 Pass under section 805; and

22 “(B) any pass covering any fees charged
23 by participating States and localities for en-
24 trance and recreational use of parks and public
25 land in the participating States.

26 “(b) AGREEMENTS WITH STATES.—

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

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

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

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

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

16 “(3) NOTICE.—In entering into an agreement
17 under paragraph (1), the Secretaries shall publish in
18 the Federal Register a notice describing the agree-
19 ment.”.

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

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

1 **SEC. 112. ONLINE PURCHASES OF AMERICA THE BEAU-**
2 **TIFUL—THE NATIONAL PARKS AND FEDERAL**
3 **RECREATIONAL LANDS PASS.**

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

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

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

15 “(ii) at such other locations as the
16 Secretaries consider appropriate and fea-
17 sible; and

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

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

24 “(II) information about where
25 and when passes are needed.”.

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

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

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

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

12 **TITLE II—ACCESSING THE** 13 **OUTDOORS**

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

15 (a) IN GENERAL.—The Secretaries are encouraged to
16 work with the Secretary of Defense and the Secretary of
17 Veterans Affairs to ensure servicemembers and veterans
18 have access to outdoor recreation and to outdoor-related
19 volunteer and wellness programs as a part of the basic
20 services provided to servicemembers and veterans.

21 (b) INCLUSION OF INFORMATION.—Each branch of
22 the Armed Forces is encouraged to include information
23 regarding outdoor recreation and outdoors-based careers
24 in the materials and counseling services focused on resil-

1 ience and career readiness provided in transition pro-
2 grams, including—

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

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

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

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

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

1 **TITLE III—MAKING RECREATION**
2 **A PRIORITY**

3 **SEC. 301. EXTENSION OF SEASONAL RECREATION OPPOR-**
4 **TUNITIES.**

5 (a) IN GENERAL.—

6 (1) EXTENSION OF RECREATIONAL SEASON.—

7 The relevant unit managers of Federal recreational
8 lands and waters managed by the Forest Service,
9 the Bureau of Land Management, and the National
10 Park Service may—

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

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

17 (C) make information about extended sea-
18 son schedules and related recreational opportu-
19 nities available to the public and local commu-
20 nities.

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

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

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

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

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

10 **SEC. 302. RECREATION PERFORMANCE METRICS.**

11 (a) IN GENERAL.—The Chief of the Forest Service
12 and the Director of the Bureau of Land Management shall
13 evaluate land managers under their jurisdiction based on
14 the achievement of applicable agency recreational and
15 tourism metrics as described in applicable land manage-
16 ment plans.

17 (b) METRICS.—

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

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

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

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

1 (A) the extent of positive economic im-
2 pacts;

3 (B) visitation by families;

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

6 (D) the number of available recreational
7 opportunities;

8 (E) the quality of visitor experience;

9 (F) the number of recreational and envi-
10 ronmental educational programs offered;

11 (G) visitor satisfaction; and

12 (H) the maintenance and expansion of ex-
13 isting recreation infrastructure.

14 **SEC. 303. RECREATION MISSION.**

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

17 (1) the Corps of Engineers;

18 (2) the Bureau of Reclamation;

19 (3) the Federal Energy Regulatory Commission;

20 and

21 (4) the Department of Transportation.

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

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

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

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

7 (2) the recreational, social, and health benefits
8 people receive from the Federal land through out-
9 door recreation; and

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

12 (b) DEFINITIONS.—In this section:

13 (1) NATURAL FEATURE.—The term “natural
14 feature” means an ecological, geological, hydrologi-
15 cal, or scenic attribute of a specific area.

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

19 (A) a natural feature that supports high-
20 quality outdoor recreation opportunities and ex-
21 periences;

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

25 (C) the offering of outstanding existing or
26 prospective recreation opportunities and uses;

1 (D) having an important role in, and con-
2 tributing significantly, to the outdoor recreation
3 economy; and

4 (E) having high fish and wildlife values.

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

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

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

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

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

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

22 (1) existing National Recreation Areas under
23 the jurisdiction of the Bureau of Land Management
24 or the Forest Service described in subsection (g);
25 and

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

3 (d) ADMINISTRATION.—

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

7 (A) prioritizes the sustainable enjoyment
8 and enhancement of the remarkable rec-
9 reational attributes, natural features, and uses
10 of the System unit consistent with subsection
11 (a); and

12 (B) protects the System unit for a variety
13 of recreational uses (including outfitting and
14 guiding, motorized recreation, hunting and fish-
15 ing, horseback riding, and biking) in locations
16 where those uses are appropriate and are con-
17 ducted in accordance with the applicable land
18 management plan and all applicable Federal
19 and State laws (including regulations).

20 (2) GRAZING.—Livestock grazing within System
21 units, where established before the date of the enact-
22 ment of this Act, shall be permitted if the grazing
23 complies with all applicable laws (including regula-
24 tions).

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

6 (4) FISH AND WILDLIFE.—Nothing in this sec-
7 tion affects the jurisdiction or responsibilities of a
8 State with respect to fish and wildlife in a System
9 unit in the State.

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

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

18 (e) COMPONENTS OF NATIONAL RECREATION AREA
19 SYSTEM.—

20 (1) MAP; LEGAL DESCRIPTION.—

21 (A) IN GENERAL.—For System units des-
22 ignated by an Act of Congress after the date of
23 enactment of this Act, as soon as practicable
24 after the date of designation of a System unit,

1 the Secretary shall prepare a map and legal de-
2 scription of the System unit.

3 (B) FORCE OF LAW.—The map and legal
4 description filed under subparagraph (A) shall
5 have the same force and effect as if included in
6 this section, except that the Secretary may cor-
7 rect typographical errors in the map and legal
8 description.

9 (C) PUBLIC AVAILABILITY.—The map and
10 legal description filed under subparagraph (A)
11 shall be on file and available for public inspec-
12 tion in the offices of the Bureau of Land Man-
13 agement and the Forest Service, as appropriate.

14 (2) COMPREHENSIVE MANAGEMENT PLAN.—

15 (A) IN GENERAL.—For System units des-
16 ignated by an Act of Congress after the date of
17 enactment of this Act the Secretary with juris-
18 diction over the System unit shall prepare a
19 comprehensive management plan for the unit
20 that fulfills the requirements of subsection
21 (d)(1) and subparagraph (C).

22 (B) TIMING.—

23 (i) IN GENERAL.—The comprehensive
24 management plan described in subpara-
25 graph (A) shall be completed as part of the

1 regular land use management planning
2 process of the applicable agency on which
3 the System unit is located.

4 (ii) DELAY IN PLAN REVISION.—If the
5 planning cycle of the applicable agency
6 does not coincide with the designation of
7 the System unit, the initial plan for the
8 unit shall be completed not later than 3
9 years after the date of designation of the
10 System unit.

11 (C) REQUIREMENTS.—A comprehensive
12 management plan prepared under subparagraph
13 (A) shall—

14 (i) identify the existing, and to the ex-
15 tent practicable, prospective remarkable
16 recreational attributes of the System unit;

17 (ii) ensure the System unit is man-
18 aged to protect and enhance the purposes
19 for which the System unit was established;

20 (iii) ensure the System unit is man-
21 aged to protect and enhance the resources
22 that make the area suitable for designation
23 under subsection (c)(2) in accordance with
24 subsection (a);

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

5 (v) be coordinated with resource man-
6 agement planning for affected adjacent
7 Federal land, if applicable;

8 (vi) be prepared—

9 (I) in accordance with—

10 (aa) as applicable, the Fed-
11 eral Land Policy and Manage-
12 ment Act of 1976 (43 U.S.C.
13 1701 et seq.) or section 6 of the
14 Forest and Rangeland Renewable
15 Resources Planning Act of 1974
16 (16 U.S.C. 1604); and

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

19 (II) in consultation with States,
20 political subdivisions of States, af-
21 fected Indian Tribes, adjacent land-
22 owners, and the public; and

23 (vii) designate a sustainable road and
24 trail network, consistent with subsection
25 (a) and the purposes for which the System

1 unit was established, in accordance with all
2 applicable laws (including regulations).

3 (D) REVIEW.—A comprehensive manage-
4 ment plan described in subparagraph (A) shall
5 be regularly reviewed and updated as part of
6 the regular land management planning process
7 of the applicable agency.

8 (E) MANAGEMENT BY SECRETARY.—

9 (i) IN GENERAL.—The Secretary shall
10 manage a National Recreation Area de-
11 scribed in subsection (g) in accordance
12 with the management plan for the Na-
13 tional Recreation Area in effect on the
14 date of enactment of this Act, until the
15 date on which the plan is revised or super-
16 seded by a new comprehensive manage-
17 ment plan issued in accordance with this
18 paragraph.

19 (ii) PLAN REVISION.—If one or more
20 components of an existing management
21 plan referred to in clause (i) conflict with
22 this section, not later than 2 years after
23 the date of enactment of this Act, the Sec-
24 retary shall revise the plan to make the
25 plan consistent with this section.

1 (F) NOTICE.—The Secretary shall publish
2 in the Federal Register notice of the completion
3 and availability of a plan prepared under this
4 paragraph.

5 (f) POTENTIAL ADDITIONS TO NATIONAL RECRE-
6 ATION AREA SYSTEM.—

7 (1) ELIGIBLE AREA.—An area eligible for inclu-
8 sion in the System is an area that possesses one or
9 more remarkable recreational attributes.

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

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

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

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

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

23 (g) EXISTING NATIONAL RECREATION AREAS.—
24 Each National Recreation Area established before the date
25 of enactment of this Act that is under the jurisdiction of

1 the Bureau of Land Management or the Forest Service
2 shall be—

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

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

7 (h) STANDARD FEES.—In accordance with sections
8 803 through 808 of the Federal Lands Recreation En-
9 hancement Act (16 U.S.C. 6802–6807), the Secretary
10 may establish a standard amenity fee at each National
11 Recreation Area designated after the date of enactment
12 of this Act, if—

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

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

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

19 (1) of the Secretary to prepare or implement a
20 land use plan in accordance with section 202 of the
21 Federal Land Policy and Management Act of 1976
22 (43 U.S.C. 1712) or section 6 of the Forest and
23 Rangeland Renewable Resources Planning Act of
24 1974 (16 U.S.C. 1604);

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

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

5 (4) under any other applicable law.

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

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

10 (2) any obligation to comply with a requirement
11 applicable to such a designation.

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

16 **TITLE IV—MAINTENANCE OF**
17 **PUBLIC LAND**

18 **Subtitle A—Volunteers**

19 **SEC. 401. PRIVATE-SECTOR VOLUNTEER ENHANCEMENT**
20 **PROGRAM.**

21 (a) PURPOSE.—The purpose of this section is to pro-
22 mote private-sector volunteer programs within the Depart-
23 ment of the Interior and the Department of Agriculture
24 to enhance stewardship, recreation access, and sustain-
25 ability of the resources, values, and facilities of the Fed-

1 eral recreational lands and waters managed by the Federal
2 land management agencies.

3 (b) DEFINITIONS.—In this section:

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

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

9 (B) the Secretary of the Interior, with re-
10 spect to land managed by the Bureau of Land
11 Management.

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

15 (c) ESTABLISHMENT.—The Secretary concerned
16 shall carry out a program under which the Secretary con-
17 cerned shall—

18 (1) enhance private-sector volunteer programs;

19 (2) actively promote private-sector volunteer op-
20 portunities; and

21 (3) provide outreach to, and coordinate with,
22 the private sector for the purposes described in para-
23 graphs (1) and (2).

24 (d) COOPERATIVE AGREEMENTS FOR STEWARDSHIP
25 OF FEDERAL LAND.—

1 (1) AUTHORITY TO ENTER INTO AGREE-
2 MENTS.—The Secretary concerned may enter into
3 cooperative agreements (in accordance with section
4 6305 of title 31, United States Code) with private
5 agencies, organizations, institutions, corporations,
6 individuals, or other entities to carry out one or
7 more projects or programs with a Federal land man-
8 agement agency in accordance with this section.

9 (2) PROJECT AND PROGRAM INSTRUCTIONS.—
10 The Secretary concerned shall include in the cooper-
11 ative agreement the desired outcomes of the project
12 or program and the guidelines for the volunteers to
13 follow, including—

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

16 (B) the equipment the volunteers are au-
17 thorized to use to complete the project or pro-
18 gram;

19 (C) the training the volunteers are re-
20 quired to complete, including agency consider-
21 ation and incorporation of training offered by
22 qualified nongovernmental organizations and
23 volunteer partner organizations;

1 (D) the actions the volunteers are author-
2 ized to take to complete the project or program;
3 and

4 (E) any other information that the Sec-
5 retary concerned determines necessary for the
6 volunteer group to complete the project or pro-
7 gram.

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

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

14 (B) support maintaining the resources,
15 trails, and facilities on Federal land in a sus-
16 tainable manner;

17 (C) increase awareness, understanding,
18 and stewardship of Federal land through the
19 development, publication, or distribution of edu-
20 cational materials and products; and

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

23 (4) CONDITIONS ON USE OF AUTHORITY.—The
24 Secretary concerned may use a cooperative agree-
25 ment under paragraph (1) to carry out a project or

1 program for the Federal land only if the project or
2 program—

3 (A) complies with all Federal laws (includ-
4 ing regulations) and policies;

5 (B) is consistent with an applicable man-
6 agement plan for any Federal recreational lands
7 and waters involved;

8 (C) is monitored by the relevant Federal
9 land management agency during the project
10 and after project completion to determine com-
11 pliance with the instructions under paragraph
12 (2); and

13 (D) satisfies such other terms and condi-
14 tions as the Secretary concerned determines to
15 be appropriate.

16 **Subtitle B—Priority Trail**
17 **Maintenance**

18 **SEC. 411. INTERAGENCY TRAIL MANAGEMENT.**

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

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

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