

# Union Calendar No. 562

116<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 3879

**[Report No. 116–678, Part I]**

To modify the procedures for issuing special recreation permits for certain public land units, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

JULY 23, 2019

Ms. HAALAND (for herself, Mr. CURTIS, Mr. GALLEGO, Mr. STEWART, Ms. DEGETTE, Mr. SIMPSON, Mr. NEGUSE, Mr. GIANFORTE, Mrs. DINGELL, and Mr. LAMALFA) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on Agriculture, 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

DECEMBER 18, 2020

Additional sponsors: Mr. KILMER, Ms. DELBENE, Mr. COOK, Mr. MCCLINTOCK, Ms. KUSTER of New Hampshire, Mr. HUFFMAN, Mr. PERLMUTTER, Mr. RASKIN, Ms. TORRES SMALL of New Mexico, Mr. LOWENTHAL, Mr. WESTERMAN, Mr. TIPTON, Mr. GOSAR, Mr. YOUNG, Mrs. NAPOLITANO, Ms. NORTON, Mr. LAMB, and Mr. BLUMENAUER

DECEMBER 18, 2020

Reported from the Committee on Natural Resources with amendments

[Strike out all after the enacting clause and insert the part printed in italic]

DECEMBER 18, 2020

Committee on Agriculture discharged; committed to the Committee of the  
Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on July 23, 2019]

---

## **A BILL**

To modify the procedures for issuing special recreation  
permits for certain public land units, 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 *“Simplifying Outdoor Access for Recreation Act” or the*  
 6 *“SOAR Act”.*

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

*Sec. 1. Short title; table of contents.*

*Sec. 2. Definitions.*

*Sec. 3. Sense of Congress regarding outdoor recreation.*

**TITLE I—MODERNIZING RECREATION PERMITTING**

*Sec. 101. Definitions.*

*Sec. 102. Special recreation permit and fee.*

*Sec. 103. Permitting process improvements.*

*Sec. 104. Permit flexibility.*

*Sec. 105. Permit administration.*

*Sec. 106. Permits for multijurisdictional trips.*

*Sec. 107. Forest Service permit use reviews.*

*Sec. 108. Liability.*

*Sec. 109. Cost recovery reform.*

*Sec. 110. Extension of special recreation permits.*

*Sec. 111. Availability of Federal and State recreation passes.*

*Sec. 112. Online purchases of America the Beautiful—The National Parks and  
 Federal Recreational Lands Pass.*

**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.*

**TITLE IV—MAINTENANCE OF PUBLIC LAND**

*Subtitle A—Volunteers*

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

*Sec. 402. Enhancing outdoor recreation through public lands service organiza-  
 tions.*

*Subtitle B—Priority Trail Maintenance**Sec. 411. Interagency trail management.***1 SEC. 2. DEFINITIONS.***2 In this Act:*

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

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

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

*15 (A) the Secretary of the Interior; and*

*16 (B) the Secretary of Agriculture.*

**17 SEC. 3. SENSE OF CONGRESS REGARDING OUTDOOR**  
**18 RECREATION.***19 It is the sense of Congress that—*

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

*23 (2) access to outdoor recreation on Federal rec-*  
*24 reational lands and waters is important to the health*

1 *and wellness of all people of the United States, espe-*  
2 *cially young people;*

3 *(3) in addition to the overall economic benefit of*  
4 *outdoor recreation, the economic benefits of outdoor*  
5 *recreation on Federal recreational lands and waters*  
6 *creates significant economic and employment benefits*  
7 *to rural economies;*

8 *(4) Congress supports the creation of outdoor*  
9 *recreation sector leadership positions within State*  
10 *governments, as well as coordination with recreation*  
11 *and tourism organizations within the State to guide*  
12 *the growth of this sector, as evidenced by recent exam-*  
13 *ples in the States of Colorado, Utah, and Washington;*

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

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

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

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

1           (D) promoting economic development in the  
2           State by coordinating with stakeholders, improv-  
3           ing recreational opportunities, and recruiting  
4           outdoor recreation businesses;

5           (6) it is vital—

6           (A) to support the coordination and collabo-  
7           ration of the Federal and State land and water  
8           management agencies in the delivery of visitor  
9           services and management of outdoor recreation  
10          for the United States; and

11          (B) provide adequate staffing within Fed-  
12          eral land management agencies to facilitate sus-  
13          tainable and accessible outdoor recreation oppor-  
14          tunities; and

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

17                   **TITLE I—MODERNIZING**  
18                   **RECREATION PERMITTING**

19   **SEC. 101. DEFINITIONS.**

20           In this title:

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

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

7           (3) *LONG-TERM SPECIAL RECREATION PERMIT*.—  
8 *The term “long-term special recreation permit”*  
9 *means—*

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

12                   (B) *for a public land unit managed by the*  
13 *Bureau of Land Management, a multiyear spe-*  
14 *cial recreation permit.*

15           (4) *MULTIJURISDICTIONAL TRIP*.—*The term*  
16 *“multijurisdictional trip” means a trip that—*

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

18                   (B) *is under the jurisdiction of 2 or more*  
19 *Federal land management agencies.*

20           (5) *PUBLIC LAND UNIT*.—*The term “public land*  
21 *unit” means—*

22                   (A) *a unit of the National Forest System;*

23                   (B) *a unit of the National Park System;*

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

1                   (D) a district of the Bureau of Land Man-  
2                   agement; and

3                   (E) a project of the Bureau of Reclamation.

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

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

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

12                  (7) *SPECIAL RECREATION PERMIT*.—The term  
13                  “special recreation permit” has the meaning given the  
14                  term in section 802 of the Federal Lands Recreation  
15                  Enhancement Act (16 U.S.C. 6801).

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

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

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

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

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



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

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

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

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

12          (8) by inserting after paragraph (8) (as so redес-  
13          ignated) the following:

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

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

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

21          (9) by inserting after paragraph (12) the fol-  
22          lowing:

23               “(13) *SPECIAL RECREATION PERMIT.*—*The term*  
24               *‘special recreation permit’ means a permit issued by*  
25               *a Federal Land Management Agency for specialized*

1 *individual or group uses of Federal recreational lands*  
 2 *and waters, including—*

3 *“(A) for outfitting, guiding, or other recre-*  
 4 *ation services;*

5 *“(B) for recreation or competitive events,*  
 6 *which may include incidental sales;*

7 *“(C) for the use of—*

8 *“(i) a special area; or*

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

10 *“(D) for motorized recreational vehicle use*  
 11 *in compliance with an applicable travel manage-*  
 12 *ment plan or other regulation; and*

13 *“(E) for a group activity or event.”*

14 *(b) SPECIAL RECREATION PERMIT AND FEE.—Section*  
 15 *803 of the Federal Lands Recreation Enhancement Act (16*  
 16 *U.S.C. 6802) is amended—*

17 *(1) in subsection (b)(5), by striking “section*  
 18 *4(d)” and inserting “section 804(d)”;* and

19 *(2) by striking subsection (h) and inserting the*  
 20 *following:*

21 *“(h) SPECIAL RECREATION PERMIT AND FEE.—*

22 *“(1) SPECIAL RECREATION PERMIT.—The Sec-*  
 23 *retary may issue a special recreation permit for spe-*  
 24 *cialized individual or group uses of Federal rec-*

1       *reational lands and waters as defined in section*  
2       *802(13) of this Act (16 U.S.C. 6801).*

3               “(2) *SPECIAL RECREATION PERMIT FEE.*—

4                       “(A) *IN GENERAL.*—*The Secretary may*  
5       *charge a special recreation permit fee in connec-*  
6       *tion with the issuance of a special recreation*  
7       *permit under paragraph (1).*

8                       “(B) *FEEES FOR CERTAIN LANDS.*—

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

17                                       “(I) *the sum of—*

18   “(aa) *3 percent of the annual*  
19       *gross revenue of the recreation*  
20       *service provider for all activities*  
21       *authorized by the special recre-*  
22       *ation permit; and*

23   “(bb) *any applicable revenue*  
24       *addition; and*

1                   “(II) any applicable revenue ex-  
2                   clusion.

3                   “(ii) *EXCLUSION OF CERTAIN REVE-*  
4                   *NUES AND PAYMENTS.—In calculating the*  
5                   *amount of a fee for a special recreation per-*  
6                   *mit under clause (i), the Secretary con-*  
7                   *cerned shall exclude—*

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

17                  “(II) revenue from any rec-  
18                  reational services provided by a special  
19                  recreation permit holder for activities  
20                  on Federal recreational lands and  
21                  waters for which a separate permit is  
22                  issued.

23                  “(iii) *ALTERNATIVE PER-PERSON*  
24                  *FEE.—*

1           “(I) *IN GENERAL.*—*For Federal*  
2           *recreational lands and waters managed*  
3           *by the Forest Service, the Bureau of*  
4           *Land Management, the Bureau of Rec-*  
5           *lamation, or the United States Fish*  
6           *and Wildlife Service, the Secretary*  
7           *may charge a per-person fee in connec-*  
8           *tion with the issuance of a special*  
9           *recreation permit under paragraph*  
10           *(1).*

11           “(II) *AMOUNT OF FEE.*—*The total*  
12           *amount charged by the Secretary in*  
13           *connection with the issuance of a spe-*  
14           *cial recreation permit under para-*  
15           *graph (1) using a per-person fee under*  
16           *subclause (I) shall not exceed the*  
17           *amount the Secretary may charge for a*  
18           *special recreation permit fee under*  
19           *subparagraph (A) and clauses (i) and*  
20           *(ii).*

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

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

5           “(3) *REPORTS.*—

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

11          “(B) *REQUIREMENTS.*—The report under  
12          subparagraph (A) shall include a description of  
13          how the fees are used in each public land unit  
14          (as defined in section 101 of the SOAR Act) ad-  
15          ministered by the Secretary, including an identi-  
16          fication of the amounts used for specific activi-  
17          ties within the public land unit.”.

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

21                 (1) in subsection (a)(3)(F), by striking “section  
22                 6(a)” and inserting “section 806(a)”;

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

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

3           (4) *by inserting after subsection (a) the fol-*  
4           *lowing:*

5           “(b) *USE OF SPECIAL RECREATION PERMIT FEE REV-*  
6           *ENUE.—Revenue from a special recreation permit fee may*  
7           *be used for—*

8           (1) *the purposes described in subsection (a);*  
9           *and*

10          (2) *expenses—*

11           (A) *associated with processing applications*  
12           *for special recreation permits; and*

13           (B) *incurred in the improvement of the op-*  
14           *eration of the special recreation permit system.”.*

15          (d) *PERMANENT AUTHORIZATION.—Section 810 of the*  
16          *Federal Lands Recreation Enhancement Act (16 U.S.C.*  
17          *6809) is amended—*

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

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

22           (2) *by adding at the end the following:*

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

25           (1) *section 802;*

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

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

3 **SEC. 103. PERMITTING PROCESS IMPROVEMENTS.**

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

8           (1) not later than 180 days after the date of en-  
9 actment of this Act—

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

12           (B) identify opportunities—

13           (i) to eliminate duplicative processes;

14           (ii) to reduce costs; and

15           (iii) to decrease processing times; and

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

22           (b) *CATEGORICAL EXCLUSIONS.*—

23           (1) *IN GENERAL.*—Not later than 1 year after  
24 the date of enactment of this Act, the Secretary con-  
25 cerned shall—



1           (A) evaluate whether 1 or more additional  
2           categorical exclusions developed in compliance  
3           with the National Environmental Policy Act of  
4           1969 (42 U.S.C. 4321 et seq.) would reduce proc-  
5           essing times or costs for the issuance or renewal  
6           of special recreation permits without signifi-  
7           cantly affecting the human environment; and

8           (B) if the Secretary concerned determines  
9           under subparagraph (A) that 1 or more addi-  
10          tional categorical exclusions would reduce proc-  
11          essing times or costs for the issuance or renewal  
12          of special recreation permits without signifi-  
13          cantly affecting the human environment—

14               (i) establish those categorical exclusions  
15               in compliance with the National Environ-  
16               mental Policy Act of 1969 (42 U.S.C. 4321  
17               et seq.);

18               (ii) fully document that a category of  
19               actions will not individually or cumula-  
20               tively have a significant effect on the  
21               human environment; and

22               (iii) revise relevant agency regulations  
23               and policy statements to implement those  
24               categorical exclusions.

25          (2) ADMINISTRATION.—

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

7           (B) *EXTRAORDINARY CIRCUMSTANCES.*—*In*  
8           *determining whether to use a categorical exclu-*  
9           *sion established under paragraph (1)(B), the*  
10          *Secretary concerned shall apply, as applicable,*  
11          *the extraordinary circumstances procedures de-*  
12          *scribed in—*

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

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

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

24          (d) *ONLINE APPLICATIONS.*—*The Secretary concerned*  
25          *shall make applications for special recreation permits*

1 *available to be completed and submitted online unless the*  
2 *Secretary concerned determines that making applications*  
3 *for special recreation permits available to be completed and*  
4 *submitted online would not improve the efficiency or acces-*  
5 *sibility of the permitting process.*

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

7       (a) *SIMILAR ACTIVITIES.*—*The Secretary concerned*  
8 *shall establish a permit administration protocol that au-*  
9 *thorizes, to the maximum extent practicable, a permittee*  
10 *issued a special recreation permit for a public land unit*  
11 *under section 803(h) of the Federal Lands Recreation En-*  
12 *hancement Act (16 U.S.C. 6802(h)) to engage in a rec-*  
13 *reational activity that is substantially similar to the spe-*  
14 *cific activity authorized under the special recreation per-*  
15 *mit, if the substantially similar recreational activity—*

16               (1) *is comparable in type, nature, scope, and ec-*  
17 *ological setting to the specific activity authorized*  
18 *under the special recreation permit;*

19               (2) *does not result in a greater impact on nat-*  
20 *ural and cultural resources than the authorized activ-*  
21 *ity;*

22               (3) *does not adversely affect any other permittee*  
23 *issued a special recreation permit for a public land*  
24 *unit under that subsection;*

1           (4) *does not involve the use of a motor, including*  
2           *an electric motor, for a previously non-motorized use;*  
3           *and*

4           (5) *is consistent with any laws and regulations*  
5           *(including land use or management plans) applying*  
6           *to a public land unit.*

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

14           (c) *FOREST SERVICE AND BUREAU OF LAND MANAGE-*  
15           *MENT TEMPORARY SPECIAL RECREATION PERMITS.—*

16           (1) *IN GENERAL.—Not later than 180 days after*  
17           *the date of enactment of this Act, the Secretary con-*  
18           *cerned shall establish and implement a program to*  
19           *authorize the issuance of temporary special recreation*  
20           *permits for new or additional recreational uses of*  
21           *Federal recreational land and water managed by the*  
22           *Forest Service and the Bureau of Land Management.*

23           (2) *TERM OF TEMPORARY PERMITS.—A tem-*  
24           *porary special recreation permit issued under para-*

1        *graph (1) shall be issued for a period of not more*  
2        *than 2 years.*

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

11               (4) *EFFECT.—Nothing in this subsection alters*  
12       *or affects the authority of the Secretary to issue a spe-*  
13       *cial recreation permit under subsection (h)(1) of sec-*  
14       *tion 803 of the Federal Lands Recreation Enhance-*  
15       *ment Act (16 U.S.C. 6802).*

16 **SEC. 105. PERMIT ADMINISTRATION.**

17        (a) *PERMIT AVAILABILITY.—*

18                (1) *NOTIFICATION OF PERMIT AVAILABILITY.—*

19                        (A) *IN GENERAL.—Except as provided in*  
20        *subparagraphs (B) and (C), if the Secretary con-*  
21        *cerned has determined that the Department of*  
22        *Agriculture or the Department of the Interior, as*  
23        *applicable, is able to issue new special recreation*  
24        *permits to recreation service providers seeking to*  
25        *use a public land unit, the Secretary concerned*

1           *shall publish that information on the website of*  
2           *the agency that administers the relevant public*  
3           *land unit.*

4           (B) *EXCEPTION FOR CERTAIN PERMITS.—*  
5           *With respect to a public land unit managed by*  
6           *the Forest Service or the Bureau of Land Man-*  
7           *agement, subparagraph (A) shall apply only to*  
8           *a long-term special recreation permit for the*  
9           *public land unit.*

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

13                 (i) *a renewal or reissuance of an exist-*  
14                 *ing special recreation permit; or*

15                 (ii) *a new special recreation permit*  
16                 *issued to the purchaser of a recreation serv-*  
17                 *ice provider that is the holder of an existing*  
18                 *special recreation permit.*

19          (D) *EFFECT.—Nothing in this paragraph*  
20          *creates a prerequisite to the issuance of a special*  
21          *recreation permit or otherwise limits the author-*  
22          *ity of the Secretary concerned—*

23                 (i) *to issue a new special recreation*  
24                 *permit;*

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

3                   (iii) to make special recreation permits  
4                   available to members of the public.

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 Sec-  
10                  retary 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 of  
14                   special recreation permits by electronic mail;  
15                   and

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

20                  (b) *PERMIT APPLICATION ACKNOWLEDGMENT.*—Not  
21                  later than 60 days after the date on which the Secretary  
22                  of the Interior receives a completed application or the Sec-  
23                  retary of Agriculture receives a complete proposal for a spe-  
24                  cial recreation permit for a public land unit, the Secretary  
25                  concerned shall—

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

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

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

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

9           (a) *SINGLE JOINT SPECIAL RECREATION PERMITS.*—

10           (1) *IN GENERAL.*—*In the case of a multijuris-*  
11           *ditional trip, the Federal land management agencies*  
12           *with jurisdiction over the multijurisdictional trip*  
13           *may offer to the applicant a single joint special recre-*  
14           *ation permit that authorizes the use of each public*  
15           *land unit under the jurisdiction of those Federal land*  
16           *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                   *ditional 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 the*  
8           *multijurisdictional trip to respond to the single*  
9           *joint special recreation permit application in a*  
10          *timely manner.*

11          (D) *Other relevant administrative consider-*  
12          *ations.*

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

17          (4) *OPTION TO APPLY FOR SEPARATE PER-*  
18          *MITS.—An applicant for a special recreation permit*  
19          *for a multijurisdictional trip may apply to each ap-*  
20          *plicable Federal land management agency for a sepa-*  
21          *rate permit for the portion of the multijurisdictional*  
22          *trip on the public land unit managed by each appli-*  
23          *cable Federal land management agency.*

24          (5) *PROHIBITIONS.—Nothing in this section*  
25          *shall be construed to allow an activity that would oth-*

1 *erwise be prohibited on the public land unit where the*  
2 *activity would take place.*

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

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

12 *(2) in processing the joint special recreation per-*  
13 *mit application, incorporate the findings, interests,*  
14 *and needs of the associated agency;*

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

20 *(4) complete the permitting process within a rea-*  
21 *sonable timeframe.*

22 *(c) COST RECOVERY.—The coordination with the asso-*  
23 *ciated agency under subsection (b) shall not be subject to*  
24 *cost recovery.*

25 *(d) ENFORCEMENT AUTHORITY.—*

1           (1) *DELEGATION OF AUTHORITY TO LEAD AGEN-*  
2           *CY.—In administering a single joint special recre-*  
3           *ation permit under subsection (a), the associated*  
4           *agency shall delegate to the lead agency the author-*  
5           *ity—*

6                     (A) *to enforce the terms, stipulations, condi-*  
7                     *tions, and agreements of the joint special recre-*  
8                     *ation permit, as may be required by the regula-*  
9                     *tions of the Secretary of the associated agency;*  
10                    *and*

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

13                             (i) *noncompliance with Federal, State,*  
14                             *or local laws and regulations;*

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

17                             (iii) *failure of the holder of the joint*  
18                             *special recreation permit to exercise the*  
19                             *privileges granted by the joint special recre-*  
20                             *ation permit.*

21           (2) *RETENTION OF AUTHORITY BY THE ASSOCI-*  
22            *ATED AGENCY.—The associated agency shall retain*  
23            *the authority to enforce the terms, stipulations, condi-*  
24            *tions, and agreements in the joint special recreation*  
25            *permit that apply specifically to the use occurring on*

1       *the public land unit managed by the associated agen-*  
2       *cy.*

3       *(e) WITHDRAWAL.—*

4             *(1) IN GENERAL.—The lead agency or an associ-*  
5       *ated agency may withdraw from a joint special recre-*  
6       *ation permit at any time.*

7             *(2) ISSUANCE OF SEPARATE PERMITS.—*

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

18             *(B) REQUIREMENTS.—A special recreation*  
19       *permit issued under subparagraph (A) shall con-*  
20       *tain 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 a*  
25       *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           under subparagraph (A).

5           (f) *TREATMENT OF PUBLIC LAND UNITS CHARGING*  
6 *ENTRANCE FEES.*—Entrance fees may still be collected in  
7 addition to any special recreation permit fees for any trip  
8 that originates on, or outside of but passes through, a public  
9 lands unit that charges such fees.

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

11           (a) *IN GENERAL.*—If the Secretary of Agriculture (re-  
12 ferred to in this section as the “Secretary”) conducts a spe-  
13 cial recreation permit use review in renewing a special  
14 recreation permit or adjusting allocations of use in a spe-  
15 cial recreation permit, the Secretary shall—

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

19           (2) if the special recreation permit holder re-  
20 ceives a satisfactory performance review, allocate to  
21 the special recreation permit holder the highest level  
22 of actual annual use during the period under review  
23 plus 25 percent of that use, not to exceed the level al-  
24 located to the special recreation permit holder on the

1       *date on which the special recreation permit was*  
2       *issued.*

3       **(b) ADDITIONAL CAPACITY.—**

4             **(1) IN GENERAL.—***If additional use capacity is*  
5       *available the Secretary may, at any time, assign ad-*  
6       *ditional use capacity to 1 or more qualified recre-*  
7       *ation service providers.*

8             **(2) ASSIGNMENT NOT SUBJECT TO CAP ON**  
9       **USE.—***Notwithstanding subsection (a), in assigning*  
10       *additional use capacity under paragraph (1), the Sec-*  
11       *retary may assign additional use capacity to an ex-*  
12       *isting special recreation permit holder even if that as-*  
13       *signment would exceed the amount of use allocated to*  
14       *the special recreation permit holder on the date on*  
15       *which the special recreation permit was issued.*

16       **(c) WAIVER.—***The Secretary may waive a special*  
17       *recreation permit use review for any period during which*  
18       *use of the assigned capacity has been prevented by a cir-*  
19       *cumstance beyond the control of the special recreation per-*  
20       *mit holder, such as—*

21             **(1) unfavorable weather;**

22             **(2) fire;**

23             **(3) natural disaster;**

24             **(4) wildlife displacement;**

25             **(5) business interruption;**

1           (6) *insufficient availability of hunting and fish-*  
2           *ing licenses; or*

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

5           (d) *APPROVAL OF NON-USE.—*

6           (1) *IN GENERAL.—In any circumstance for*  
7           *which the holder of a special recreation permit would*  
8           *qualify for a waiver under subsection (c), on request*  
9           *of the holder of the special recreation permit, the Sec-*  
10          *retary may approve non-use by the holder of the spe-*  
11          *cial recreation permit without reducing the number of*  
12          *service days assigned to the special recreation permit.*

13          (2) *TEMPORARY REASSIGNMENT OF USE.—The*  
14          *Secretary may temporarily assign any period of non-*  
15          *use approved under paragraph (1) to any other exist-*  
16          *ing or potential permittee.*

17 **SEC. 108. LIABILITY.**

18          (a) *EXCULPATORY AGREEMENTS.—*

19          (1) *IN GENERAL.—A Federal land management*  
20          *agency shall not implement, administer, or enforce*  
21          *any regulation, guidance, or policy regarding the use*  
22          *of an exculpatory agreement between a special recre-*  
23          *ation permit holder and a customer of the special*  
24          *recreation permit holder relating to services provided*  
25          *under a special recreation permit.*

1           (2) *SAVINGS CLAUSE.*—*Nothing in this sub-*  
2           *section preempts, displaces, modifies, or eliminates*  
3           *any State law (including common law) regarding ex-*  
4           *culpatory agreements.*

5           (b) *INDEMNIFICATION BY GOVERNMENT ENTITIES.*—  
6           *The Secretary concerned may not require a recreation serv-*  
7           *ice provider to indemnify the United States as a condition*  
8           *for issuing a special recreation permit for a public land*  
9           *unit under this section 803(h) of the Federal Lands Recre-*  
10          *ation Enhancement Act (16 U.S.C. 6802(h)) if—*

11           (1) *the recreation service provider is prohibited*  
12          *by State or local law from providing indemnification*  
13          *to the United States; and*

14           (2) *the recreation service provider—*

15           (A) *carries the minimum amount of liabil-*  
16          *ity insurance coverage required by the issuing*  
17          *agency for the activities conducted under the spe-*  
18          *cial recreation permit; or*

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

20   **SEC. 109. COST RECOVERY REFORM.**

21           (a) *REVISION OF REGULATIONS.*—

22           (1) *IN GENERAL.*—*Not later than 1 year after*  
23          *the date of enactment of this Act, the Secretary of Ag-*  
24          *riculture shall revise section 251.58 of title 36, Code*  
25          *of Federal Regulations, and the Secretary of the Inte-*



1        *rior shall revise subsections (e) and (f) of section*  
2        *2932.31 of title 43, Code of Federal Regulations, to be*  
3        *consistent with this section.*

4            (2) *LIMITATION.*—*In carrying out paragraph*  
5        *(1), the Secretary of Agriculture and the Secretary of*  
6        *the Interior shall not include anything in the revised*  
7        *regulations that would limit the authority of the Sec-*  
8        *retary concerned to issue or renew special recreation*  
9        *permits.*

10        (b) *DE MINIMIS EXEMPTION FROM COST RECOV-*  
11 *ERY.*—

12            (1) *IN GENERAL.*—*Any regulation promulgated*  
13        *by the Secretary of the Interior or the Secretary of*  
14        *Agriculture to establish fees to recover the costs of*  
15        *processing an application for a special recreation per-*  
16        *mit issued by the U.S. Forest Service or the Bureau*  
17        *of Land Management, or for monitoring an author-*  
18        *ization under a special recreation permit issued by*  
19        *the U.S. Forest Service or the Bureau of Land Man-*  
20        *agement, shall include an exemption providing that*  
21        *fees may not be recovered for not less than the first*  
22        *50 hours of work necessary in any 1 year to process*  
23        *the application or monitor the authorization.*

24            (2) *MULTIPLE APPLICATIONS.*—*In situations in-*  
25        *volving multiple applications for special recreation*

1        *permits issued by the U.S. Forest Service or the Bu-*  
2        *reau of Land Management for similar services in the*  
3        *same public land unit or area that, in the aggregate,*  
4        *require more hours to process than are exempt under*  
5        *the regulations promulgated under paragraph (1), the*  
6        *Secretary concerned shall, regardless of whether the*  
7        *applications are solicited or unsolicited and whether*  
8        *there is competitive interest—*

9                *(A) determine the share of the aggregate*  
10              *quantity of hours to be allocated to each applica-*  
11              *tion on an equal or prorated basis, as appro-*  
12              *priate; and*

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

17        *(c) COST REDUCTION.—To the maximum extent prac-*  
18        *ticable, the agency processing an application for a special*  
19        *recreation permit shall use existing studies and analysis to*  
20        *reduce the quantity of work and costs necessary to process*  
21        *the application.*

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

23              *(a) IN GENERAL.—Subject to subsection (b), if the*  
24        *holder of a long-term special recreation permit makes a*  
25        *timely and sufficient request for renewal of the long-term*

1 *special recreation permit, the expiration of the permit shall*  
 2 *be tolled in accordance with the undesignated matter fol-*  
 3 *lowing section 558(c)(2) of title 5, United States Code, until*  
 4 *such time as the request for renewal has been finally deter-*  
 5 *mined by the Secretary concerned.*

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

8 (c) *RESPONSIBILITY OF THE SECRETARY CON-*  
 9 *CERNED.*—*Before allowing the expiration of a permit to be*  
 10 *tolled under subsection (a), the Secretary concerned, to the*  
 11 *maximum extent practicable, shall complete the renewal*  
 12 *process.*

13 **SEC. 111. AVAILABILITY OF FEDERAL AND STATE RECRE-**  
 14 **ATION PASSES.**

15 (a) *IN GENERAL.*—*The Federal Lands Recreation En-*  
 16 *hancement Act is amended by inserting after section 805*  
 17 *(16 U.S.C. 6804) the following:*

18 **“SEC. 805A. AVAILABILITY OF FEDERAL AND STATE RECRE-**  
 19 **ATION PASSES.**

20 **“(a) ESTABLISHMENT OF PROGRAM.**—

21 **“(1) IN GENERAL.**—*To improve the availability*  
 22 *of Federal and State outdoor recreation passes, the*  
 23 *Secretaries are encouraged to consult with States to*  
 24 *coordinate the availability of Federal and State recre-*  
 25 *ation passes to allow a purchaser to buy a Federal*

1       *recreation pass and a State recreation pass in the*  
2       *same transaction.*

3               “(2) *INCLUDED PASSES.*—*Passes covered by the*  
4       *program established under paragraph (1) include—*

5                       “(A) *an America the Beautiful—the Na-*  
6       *tional Parks and Federal Recreational Lands*  
7       *Pass under section 805; and*

8                       “(B) *any pass covering any fees charged by*  
9       *participating States and localities for entrance*  
10       *and recreational use of parks and public land in*  
11       *the participating States.*

12       “(b) *AGREEMENTS WITH STATES.*—

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

17               “(2) *REVENUE FROM PASS SALES.*—*The agree-*  
18       *ments between the Secretaries and the States shall en-*  
19       *sure that—*

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

22                       “(B) *funds from the sale of Federal passes*  
23       *are transferred to the appropriate Federal agen-*  
24       *cy; and*

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

4           “(3) NOTICE.—In entering into an agreement  
5           under paragraph (1), the Secretaries shall publish in  
6           the Federal Register a notice describing the agree-  
7           ment.”.

8           (b) CLERICAL AMENDMENT.—The table of contents for  
9           the Federal Lands Recreation Enhancement Act (16 U.S.C.  
10          6801 et seq.) is amended by inserting after the item relating  
11          to section 805 the following:

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

12       **SEC. 112. ONLINE PURCHASES OF AMERICA THE BEAU-**  
13                               **TIFUL—THE NATIONAL PARKS AND FEDERAL**  
14                               **RECREATIONAL LANDS PASS.**

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

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

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

1                   “(ii) at such other locations as the Sec-  
2                   retaries consider appropriate and feasible;  
3                   and

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

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

10                                “(II) information about where  
11                                and when passes are needed.”.

12           (b) *ENTRANCE PASS AND AMENITY FEES.*—The Secre-  
13           taries shall make available for payment online, if appro-  
14           priate and feasible, for each public land unit where passes  
15           and fees are required—

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

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

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

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

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

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

10          (b) *INCLUSION OF INFORMATION.*—*Each branch of the*  
11 *Armed Forces is encouraged to include information regard-*  
12 *ing outdoor recreation and outdoors-based careers in the*  
13 *materials and counseling services focused on resilience and*  
14 *career readiness provided in transition programs, includ-*  
15 *ing—*

16                   (1) *the benefits of outdoor recreation for physical*  
17 *and mental health;*

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

21                   (3) *information regarding programs and jobs fo-*  
22 *cused on continuing national service such as the Pub-*  
23 *lic Land Corps, AmeriCorps, or a conservation corps*  
24 *program.*

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

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

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

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

16       (a) *IN GENERAL.*—

17               (1) *EXTENSION OF RECREATIONAL SEASON.*—*The*  
18 *relevant unit managers of Federal recreational lands*  
19 *and waters managed by the Forest Service, the Bu-*  
20 *reau of Land Management, and the National Park*  
21 *Service may—*

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



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

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

7           (2) *CLARIFICATION.*—Nothing in this subsection  
8           precludes the Secretaries from providing for addi-  
9           tional recreational opportunities and uses at times  
10          other than those referred to in paragraph (1).

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

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

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

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

20          **SEC. 302. RECREATION PERFORMANCE METRICS.**

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

1 *ism metrics as described in applicable land management*  
2 *plans.*

3 (b) *METRICS.*—

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

6 (A) *the advancement of recreation and tour-*  
7 *ism goals; and*

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

10 (2) *INCLUSIONS.*—*The metrics referred to in*  
11 *paragraph (1) shall include—*

12 (A) *the extent of positive economic impacts;*

13 (B) *visitation by families;*

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

16 (D) *the number of available recreational op-*  
17 *portunities;*

18 (E) *the quality of visitor experience;*

19 (F) *the number of recreational and environ-*  
20 *mental educational programs offered;*

21 (G) *visitor satisfaction; and*

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

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

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

4 (1) *the Corps of Engineers;*

5 (2) *the Bureau of Reclamation;*

6 (3) *the Federal Energy Regulatory Commission;*

7 *and*

8 (4) *the Department of Transportation.*

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

13 **TITLE IV—MAINTENANCE OF**  
 14 **PUBLIC LAND**  
 15 **Subtitle A—Volunteers**

16 **SEC. 401. PRIVATE-SECTOR VOLUNTEER ENHANCEMENT**  
 17 **PROGRAM.**

18 (a) *PURPOSE.*—*The purpose of this section is to pro-*  
 19 *mote private-sector volunteer programs within the Depart-*  
 20 *ment of the Interior and the Department of Agriculture to*  
 21 *enhance stewardship, recreation access, and sustainability*  
 22 *of the resources, values, and facilities of the Federal rec-*  
 23 *reational lands and waters managed by the Federal land*  
 24 *management agencies.*

25 (b) *DEFINITIONS.*—*In this section:*

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

3                   (A) *the Secretary of Agriculture (acting*  
4                   *through the Chief of the Forest Service), with re-*  
5                   *spect to National Forest System land; and*

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

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

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

15                   (1) *enhance private-sector volunteer programs;*

16                   (2) *actively promote private-sector volunteer op-*  
17                   *portunities; and*

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

21           (d) *COOPERATIVE AGREEMENTS FOR STEWARDSHIP*  
22           *OF FEDERAL LAND.*—

23                   (1) *AUTHORITY TO ENTER INTO AGREEMENTS.*—

24                   *The Secretary concerned may enter into cooperative*  
25                   *agreements (in accordance with section 6305 of title*

1       31, United States Code) with private agencies, orga-  
2       nizations, institutions, corporations, individuals, or  
3       other entities to carry out one or more projects or pro-  
4       grams with a Federal land management agency in  
5       accordance with this section.

6               (2) *PROJECT AND PROGRAM INSTRUCTIONS.*—  
7       The Secretary concerned shall include in the coopera-  
8       tive agreement the desired outcomes of the project or  
9       program and the guidelines for the volunteers to fol-  
10      low, including—

11               (A) *the physical boundaries of the project or*  
12      *program;*

13               (B) *the equipment the volunteers are au-*  
14      *thorized to use to complete the project or pro-*  
15      *gram;*

16               (C) *the training the volunteers are required*  
17      *to complete, including agency consideration and*  
18      *incorporation of training offered by qualified*  
19      *nongovernmental organizations and volunteer*  
20      *partner organizations;*

21               (D) *the actions the volunteers are author-*  
22      *ized to take to complete the project or program;*  
23      *and*

24               (E) *any other information that the Sec-*  
25      *retary concerned determines necessary for the*

1           *volunteer group to complete the project or pro-*  
2           *gram.*

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

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

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

12                  (C) *increase awareness, understanding, and*  
13                  *stewardship of Federal land through the develop-*  
14                  *ment, publication, or distribution of educational*  
15                  *materials and products; and*

16                  (D) *promote the use of Federal land as out-*  
17                  *door classrooms.*

18           (4) *CONDITIONS ON USE OF AUTHORITY.—The*  
19           *Secretary concerned may use a cooperative agreement*  
20           *under paragraph (1) to carry out a project or pro-*  
21           *gram for the Federal land only if the project or pro-*  
22           *gram—*

23                   (A) *complies with all Federal laws (includ-*  
24                   *ing regulations) and policies;*

1           (B) is consistent with an applicable man-  
2           agement plan for any Federal recreational lands  
3           and waters involved;

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

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

11 **SEC. 402. ENHANCING OUTDOOR RECREATION THROUGH**  
12 **PUBLIC LANDS SERVICE ORGANIZATIONS.**

13          In carrying out projects on public lands that would  
14          directly or indirectly enhance recreation, the Secretaries  
15          shall—

16               (1) to the maximum extent practicable—

17                       (A) use qualified youth or conservation  
18                       corps as defined in section 203(11) of the Public  
19                       Lands Corps Act of 1993 (16 U.S.C. 1722(11));  
20                       and

21                       (B) use non-profit wilderness and trails  
22                       stewardship organizations;

23               (2) consult with the Corps Network, the National  
24          Wilderness Stewardship Alliance, American Trails,  
25          and other public lands stewardship organizations for

1       *the purpose of identifying appropriate projects, ac-*  
2       *tivities, and workforce development outcomes; and*

3               *(3) waive any matching funds requirements, in-*  
4       *cluding under section 212(a)(1) of the Public Lands*  
5       *Corps Act of 1993 (16 U.S.C. 1729(a)(1)).*

6                       ***Subtitle B—Priority Trail***  
7                               ***Maintenance***

8       ***SEC. 411. INTERAGENCY TRAIL MANAGEMENT.***

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

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

Amend the title so as to read: “A bill to promote in-  
novative approaches to outdoor recreation on Federal  
land and to increase opportunities for collaboration with  
non-Federal partners, and for other purposes.”.





Union Calendar No. 562

116<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 3879**

[Report No. 116-678, Part I]

---

---

## **A BILL**

To modify the procedures for issuing special recreation permits for certain public land units, and for other purposes.

---

---

DECEMBER 18, 2020

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed