

## **EXPLORE Act**

[Public Law 118–234]

[This law has not been amended]

【Currency: This publication is a compilation of the text of Public Law 118–234. It was last amended by the public law listed in the As Amended Through note above and below at the bottom of each page of the pdf version and reflects current law through the date of the enactment of the public law listed at <https://www.govinfo.gov/app/collection/comps/>】

【Note: While this publication does not represent an official version of any Federal statute, substantial efforts have been made to ensure the accuracy of its contents. The official version of Federal law is found in the United States Statutes at Large and in the United States Code. The legal effect to be given to the Statutes at Large and the United States Code is established by statute (1 U.S.C. 112, 204).】

AN ACT To improve recreation opportunities on, and facilitate greater access to, Federal public land, and for other purposes.

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

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

(a) 【16 U.S.C. 8401 note】 SHORT TITLE.—This Act may be cited as the “Expanding Public Lands Outdoor Recreation Experiences Act” or the “EXPLORE Act”.

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.

### **TITLE I—OUTDOOR RECREATION AND INFRASTRUCTURE**

#### **Subtitle A—Outdoor Recreation Policy**

- Sec. 111. Congressional declaration of policy.
- Sec. 112. Identifying opportunities for recreation.
- Sec. 113. Federal Interagency Council on Outdoor Recreation.
- Sec. 114. Recreation budget crosscut.

#### **Subtitle B—Public Recreation on Federal Recreational Lands and Waters**

- Sec. 121. Biking on long-distance trails.
- Sec. 122. Protecting America’s rock climbing.
- Sec. 123. Range access.
- Sec. 124. Restoration of overnight campsites.
- Sec. 125. Federal interior land media.
- Sec. 126. Cape and antler preservation enhancement.
- Sec. 127. Motorized and nonmotorized access.
- Sec. 128. Aquatic resource activities assistance.

#### **Subtitle C—Supporting Gateway Communities and Addressing Park Overcrowding**

- Sec. 131. Gateway communities.
- Sec. 132. Improved recreation visitation data.
- Sec. 133. Monitoring for improved recreation decision making.

## Subtitle D—Broadband Connectivity on Federal Recreational Lands and Waters

- Sec. 141. Connect Our Parks.
- Sec. 142. Broadband internet connectivity at developed recreation sites.
- Sec. 143. Public lands telecommunications cooperative agreements.

## Subtitle E—Public-Private Parks Partnerships

- Sec. 151. Authorization for lease of forest service administrative sites.
- Sec. 152. Partnership agreements creating tangible savings.
- Sec. 153. Partnership agreements to modernize federally owned campgrounds, resorts, cabins, and visitor centers on Federal recreational lands and waters.
- Sec. 154. Parking and Restroom opportunities for Federal recreational lands and waters.
- Sec. 155. Pay-for-performance projects.
- Sec. 156. Outdoor recreation legacy partnership program.
- Sec. 157. American battlefield protection program enhancement.

## TITLE II—ACCESS AMERICA

- Sec. 201. Definitions.

## Subtitle A—Access for People With Disabilities

- Sec. 211. Accessible recreation inventory.
- Sec. 212. Trail inventory.
- Sec. 213. Trail pilot program.
- Sec. 214. Accessible trails.
- Sec. 215. Accessible recreation opportunities.
- Sec. 216. Assistive technology.
- Sec. 217. Savings clause.

## Subtitle B—Military and Veterans in Parks

- Sec. 221. Promotion of outdoor recreation for military servicemembers and veterans.
- Sec. 222. Military Veterans Outdoor Recreation Liaisons.
- Sec. 223. Partnerships to promote military and veteran recreation.
- Sec. 224. National strategy for military and veteran recreation.
- Sec. 225. Recreation resource advisory committees.
- Sec. 226. Career and volunteer opportunities for veterans.

## Subtitle C—Youth Access

- Sec. 231. Increasing youth recreation visits to Federal land.
- Sec. 232. Every Kid Outdoors Act extension.

## TITLE III—SIMPLIFYING OUTDOOR ACCESS FOR RECREATION

- Sec. 301. Definitions.

## Subtitle A—Modernizing Recreation Permitting

- Sec. 311. Special recreation permit and fee.
- Sec. 312. Permitting process improvements.
- Sec. 313. Permit flexibility.
- Sec. 314. Permit administration.
- Sec. 315. Service First Initiative; Permits for multijurisdictional trips.
- Sec. 316. Forest Service and Bureau of Land Management temporary special recreation permits for outfitting and guiding.
- Sec. 317. Reviews for long-term permits.
- Sec. 318. Adjustment of allocated visitor-use days.
- Sec. 319. Liability.
- Sec. 320. Cost recovery reform.
- Sec. 321. Availability of Federal, State, and local recreation passes.
- Sec. 322. Online purchases and establishment of a digital version of America the Beautiful—The National Parks and Federal Recreational Lands Passes.
- Sec. 323. Savings provision.

## Subtitle B—Making Recreation a Priority

- Sec. 331. Extension of seasonal recreation opportunities.

## Subtitle C—Maintenance of Public Land

- Sec. 341. Volunteers in the National Forests and Public Lands Act.  
Sec. 342. Reference.

## Subtitle D—Recreation Not Red Tape

- Sec. 351. Good neighbor authority for recreation.  
Sec. 352. Permit relief for picnic areas.  
Sec. 353. Interagency report on special recreation permits for underserved communities.  
Sec. 354. Modernizing Access to Our Public Land Act amendments.  
Sec. 355. Savings provision.

**SEC. 2. [16 U.S.C. 8401] DEFINITIONS.**

In this Act:

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

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

(3) **GATEWAY COMMUNITY.**—The term “gateway community” means a community that serves as an entry point, or is adjacent, to a recreation destination on Federal recreational lands and waters or non-Federal land at which there is consistently high, in the determination of the Secretaries, seasonal or year-round visitation.

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

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

(A) a land use plan prepared by the Secretary pursuant to section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712); and

(B) a land management plan prepared by the Forest Service for a unit of the National Forest Service pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604).

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

(A) the Secretary; and

(B) the Secretary of Agriculture.

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

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

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

(B) the Secretary of Agriculture, with respect to land managed by the Forest Service.

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

## **TITLE I—OUTDOOR RECREATION AND INFRASTRUCTURE**

### **Subtitle A—Outdoor Recreation Policy**

#### **SEC. 111. [16 U.S.C. 8411] CONGRESSIONAL DECLARATION OF POLICY.**

Congress declares that it is the policy of the Federal Government to foster and encourage recreation on Federal recreational lands and waters, to the extent consistent with the laws applicable to specific areas of Federal recreational lands and waters, including multiple-use mandates and land management planning requirements.

#### **SEC. 112. [16 U.S.C. 8412] IDENTIFYING OPPORTUNITIES FOR RECREATION.**

(a) **INVENTORY AND ASSESSMENTS.**—

(1) **IN GENERAL.**—The Secretary concerned shall—

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

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

(C) update the inventory and assessment as the Secretary concerned determines appropriate.

(2) **UNIQUE RECREATION VALUES.**—An inventory and assessment conducted under paragraph (1) shall—

(A) recognize—

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

(ii) areas of concentrated recreational use; and

(B) identify, list, and map recreation resources by—

(i) type of recreation opportunity and type of natural or artificial recreation infrastructure;

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

(iii) identifying, to the extent practicable, any trend relating to recreation opportunities or use at a recreation resource identified under subparagraph (A).

(3) **ASSESSMENTS.**—For any recreation resource inventoried under paragraph (1), the Secretary concerned shall assess—

(A) the maintenance needs of, and expenses necessary to administer, the recreation resource;

(B) the suitability for developing, expanding, or enhancing the recreation resource; and

(C) the adequacy of the current management of the recreation resource.

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

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

(1) by striking subsection (d); and

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

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

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

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

(2) by inserting before paragraph (4), as so redesignated, the following:

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

“(2) **FEDERAL LAND AND WATER MANAGEMENT AGENCY.**—The term ‘Federal land and water management agency’ means the National Park Service, Bureau of Land Management, United States Fish and Wildlife Service, Bureau of Indian Affairs, Bureau of Reclamation, Forest Service, Corps of Engineers, and the National Oceanic and Atmospheric Administration.

“(3) **FEDERAL RECREATIONAL LANDS AND WATERS.**—The term ‘Federal recreational lands and waters’ has the meaning given the term in section 802 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6801) and also includes Federal lands and waters managed by the Bureau of Indian Affairs, Corps of Engineers, or National Oceanic and Atmospheric Administration.”

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

**“SEC. 200104. Federal interagency council on outdoor recreation**

“(a) **ESTABLISHMENT.**—The Secretary shall establish an interagency council, to be known as the ‘Federal Interagency Council on Outdoor Recreation’.

“(b) **COMPOSITION.**—

“(1) **IN GENERAL.**—The Council shall be composed of representatives of each of the following agencies, to be appointed by the head of the respective agency:

“(A) The National Park Service.

“(B) The Bureau of Land Management.

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

“(D) The Bureau of Indian Affairs.

“(E) The Bureau of Reclamation.

“(F) The Forest Service.

“(G) The Army Corps of Engineers.

“(H) The National Oceanic and Atmospheric Administration.

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

“(A) The Council on Environmental Quality.

“(B) The Natural Resources Conservation Service.

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

“(D) The National Center for Chronic Disease Prevention and Health Promotion.

“(E) The Environmental Protection Agency.

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

“(G) The Tennessee Valley Authority.

“(H) The Department of Commerce, including—

“(i) the Bureau of Economic Analysis;

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

“(iii) the Economic Development Administration.

“(I) The Federal Energy Regulatory Commission.

“(J) An applicable State agency or office.

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

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

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

“(4) LEADERSHIP.—The leadership of the Council shall rotate every 2 years among the Council members appointed under paragraph (1), or as otherwise determined by the Secretary in consultation with the Secretaries of Agriculture, Defense, and Commerce.

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

“(c) COORDINATION.—The Council shall meet as frequently as appropriate for the purposes of coordinating on issues related to outdoor recreation, including—

“(1) recreation programs and management policies across Federal land and water management agencies, including activities associated with the implementation of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6801 et seq.), as appropriate;

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

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

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

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

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

mation is easily accessible with modern communication devices;

“(7) the improvement of access to Federal recreational lands and waters; and

“(8) the identification and engagement of partners outside the Federal Government—

“(A) to promote outdoor recreation;

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

“(C) to provide additional resources relating to enhancing outdoor recreation opportunities; and

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

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

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

“200104. Federal Interagency Council on Outdoor Recreation”.

**SEC. 114. [16 U.S.C. 8413] RECREATION BUDGET CROSSCUT.**

Not later than 30 days after the end of each fiscal year, beginning with fiscal year 2025, the Director of the Office of Management and Budget shall submit to Congress and make public online a report that describes and itemizes the total amount of funding relating to outdoor recreation that was obligated in the preceding fiscal year in accounts in the Treasury for the Department of the Interior and the Department of Agriculture.

## **Subtitle B—Public Recreation on Federal Recreational Lands and Waters**

**SEC. 121. [16 U.S.C. 8421] BIKING ON LONG-DISTANCE TRAILS.**

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

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

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

(b) PUBLIC COMMENT.—The Secretaries shall—

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

(2) consider the identification, development, and completion of long-distance bike trails in a geographically equitable manner.

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

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

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

(d) REPORT.—Not later than 2 years after the date of the enactment of this title, the Secretaries, in partnership with interested organizations, shall prepare and publish a report that lists the trails identified under subsection (a), including a summary of public comments received in accordance with the process developed under subsection (b).

(e) CONFLICT AVOIDANCE WITH OTHER USES.—Before identifying a long-distance bike trail under subsection (a), the Secretary concerned shall ensure the long-distance bike trail—

(1) minimizes conflict with—

(A) the uses, before the date of the enactment of this title, of any trail or road that is part of that long-distance bike trail;

(B) multiple-use areas where biking, hiking, horseback riding, or use by pack and saddle stock are existing uses on the date of the enactment of this title;

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

(D) any area managed under the Wilderness Act (16 U.S.C. 1131 et seq.); and

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

(f) EMINENT DOMAIN OR CONDEMNATION.—In carrying out this section, the Secretaries may not use eminent domain or condemnation.

(g) DEFINITIONS.—In this section:

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

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

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

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

(D) does not include Federal recreational lands where mountain biking or related activities are not consistent with management requirements for those Federal recreational lands; and

(E) to the maximum extent practicable, makes use of trails and roads that were on Federal recreational lands on or before the date of the enactment of this title.

(2) SECRETARIES.—The term “Secretaries” means the Secretary of the Interior and the Secretary of Agriculture, acting jointly.



**SEC. 122. [16 U.S.C. 8422] PROTECTING AMERICA'S ROCK CLIMBING.**

(a) **IN GENERAL.**—Not later than 18 months after the date of the enactment of this title, each Secretary concerned shall issue guidance for recreational climbing activities on covered Federal land.

(b) **APPLICABLE LAW.**—The guidance issued under subsection (a) shall ensure that recreational climbing activities comply with the laws (including regulations) applicable to the covered Federal land.

(c) **WILDERNESS AREAS.**—The guidance issued under subsection (a) shall recognize that recreational climbing (including the use, placement, and maintenance of fixed anchors) is an appropriate use within a component of the National Wilderness Preservation System, if undertaken—

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

(2) subject to any terms and conditions determined by the Secretary concerned to be appropriate.

(d) **AUTHORIZATION.**—The guidance issued under subsection (a) shall describe the requirements, if any, for the placement and maintenance of fixed anchors for recreational climbing in a component of the National Wilderness Preservation System, including any terms and conditions determined by the Secretary concerned to be appropriate, which may be issued programmatically or on a case-by-case basis.

(e) **EXISTING ROUTES.**—The guidance issued under subsection (a) shall include direction providing for the continued use and maintenance of recreational climbing routes (including fixed anchors along the routes) in existence as of the date of the enactment of this title, in accordance with this Act.

(f) **PUBLIC COMMENT.**—Before finalizing the guidance issued under subsection (a), the Secretary concerned shall provide opportunities for public comment with respect to the guidance.

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

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

(2) includes components of the National Wilderness Preservation System.

**SEC. 123. [16 U.S.C. 8423] RANGE ACCESS.**

(a) **DEFINITION OF TARGET SHOOTING RANGE.**—In this section, the term “target shooting range” means a developed and managed area that is authorized or operated by the Forest Service, a concessioner of the Forest Service, or the Bureau of Land Management (or their lessee) specifically for the purposeful discharge by the public of legal firearms, firearms training, archery, or other associated activities.

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

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

(A) identifies each National Forest and each Bureau of Land Management district that has a target shooting

range that meets the requirements described in paragraph (3)(B);

(B) identifies each National Forest and each Bureau of Land Management district that does not have a target shooting range that meets the requirements described in paragraph (3)(B); and

(C) for each National Forest and each Bureau of Land Management district identified under subparagraph (B), provides a determination of whether applicable law or the applicable land use plan prevents the establishment of a target shooting range that meets the requirements described in paragraph (3)(B).

(2) IDENTIFICATION OF TARGET SHOOTING RANGE LOCATIONS.—

(A) IN GENERAL.—The Secretary concerned shall identify at least 1 suitable location for a target shooting range that meets the requirements described in paragraph (3)(B) within each National Forest and each Bureau of Land Management district with respect to which the Secretary concerned has determined under paragraph (1)(C) that the establishment of a target shooting range is not prevented by applicable law or the applicable land use plan.

(B) REQUIREMENTS.—The Secretaries, in consultation with the entities described in subsection (d), shall, for purposes of identifying a suitable location for a target shooting range under subparagraph (A)—

(i) consider the proximity of areas frequently used by recreational shooters;

(ii) ensure that the target shooting range would not adversely impact a shooting range operated on non-Federal land; and

(iii) consider other nearby recreational uses, including proximity to units of the National Park System, to minimize potential conflict and prioritize visitor safety.

(3) ESTABLISHMENT OF NEW TARGET SHOOTING RANGES.—

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

(i) subject to the availability of appropriations for such purpose, construct a target shooting range that meets the requirements described in subparagraph (B) or modify an existing target shooting range to meet the requirements described in subparagraph (B); or

(ii) enter into an agreement with an entity described in subsection (d)(1), under which the entity shall establish or maintain a target shooting range that meets the requirements described in subparagraph (B).

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

(i)(I) shall be able to accommodate rifles and pistols;

(II) may include skeet, trap, or sporting clay infrastructure; and

(III) may accommodate archery;

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

(I) significantly modified landscapes, including berms, buffer distances, or other public safety designs or features; and

(II) a designated firing line; and

(iii) may include—

(I) shade structures;

(II) trash containers;

(III) restrooms;

(IV) benches; and

(V) any other features that the Secretary concerned determines to be necessary.

(C) RECREATION AND PUBLIC PURPOSES ACT.—For purposes of subparagraph (A), the Secretary concerned may consider a target shooting range that is located on land transferred or leased pursuant to the Act of June 14, 1926 (commonly known as the “Recreation and Public Purposes Act”) (44 Stat. 741, chapter 578; 43 U.S.C. 869 et seq.), as a target shooting range that meets the requirements described in subparagraph (B).

(c) RESTRICTIONS.—

(1) MANAGEMENT.—The management of a target shooting range shall be subject to such conditions as the Secretary concerned determines are necessary for the safe, responsible use of—

(A) the target shooting range; and

(B) the adjacent land and resources.

(2) CLOSURES.—Except in emergency situations, the Secretary concerned shall seek to ensure that a target shooting range that meets the requirements described in subsection (b)(3)(B), or an equivalent shooting range adjacent to a National Forest or Bureau of Land Management district, is available to the public prior to closing Federal recreational lands and waters administered by the Chief of the Forest Service or the Director of the Bureau of Land Management to recreational shooting, in accordance with section 4103 of the John D. Dingell, Jr. Conservation, Management, and Recreation Act (16 U.S.C. 7913).

(d) COORDINATION.—

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

(A) State, Tribal, and local governments;

(B) nonprofit or nongovernmental organizations, including organizations that are signatories to the memorandum of understanding entitled “Federal Lands Hunting, Fishing, and Shooting Sports Roundtable Memorandum of Understanding” and signed by the Forest Serv-

ice and the Bureau of Land Management on August 17, 2006;

(C) shooting clubs;

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

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

(2) PARTNERSHIPS.—The Secretaries may—

(A) coordinate with an entity described in paragraph

(1) to assist with the construction, modification, operation, or maintenance of a target shooting range; and

(B) explore opportunities to leverage funding to maximize non-Federal investment in the construction, modification, operation, or maintenance of a target shooting range.

(e) ANNUAL REPORTS.—Not later than 2 years after the date of the enactment of this title and annually thereafter through fiscal year 2033, the Secretaries shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report describing the progress made with respect to the implementation of this section.

(f) SAVINGS CLAUSE.—Nothing in this section affects the authority of the Secretary concerned to administer a target shooting range that is in addition to the target shooting ranges that meet the requirements described in subsection (b)(3)(B) on Federal recreational lands and waters administered by the Secretary concerned.

**SEC. 124. [16 U.S.C. 8424] RESTORATION OF OVERNIGHT CAMPSITES.**

(a) DEFINITIONS.—In this section:

(1) RECREATION AREA.—The term “Recreation Area” means the recreation area and grounds associated with the recreation area on the map entitled “Ouachita National Forest Camping Restoration” and dated November 30, 2023, on file with the Forest Service.

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

(b) IN GENERAL.—The Secretary shall—

(1) not later than 6 months after the date of the enactment of this title, identify 54 areas within the Recreation Area that may be suitable for overnight camping; and

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

(A) review each area identified under paragraph (1);

and

(B) from the areas so identified, select and establish at least 27 campsites and related facilities within the Recreation Area for public use.

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

(1) ensure that at least 27 campsites are available under subsection (b), of which not less than 8 shall have electric and water hookups; and

(2) ensure that each campsite and related facility identified or established under subsection (b) is located outside of the 1 percent annual exceedance probability flood elevation.

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

- (1) exists on the date of the enactment of this title;
- (2) is located outside of the 1 percent annual exceedance probability flood elevation;
- (3) was in operation on June 1, 2010; and
- (4) would not interfere with any current (as of the date of the enactment of this title) day use areas.

(e) DAY USE AREAS.—Not later than 1 year after the date of the enactment of this title, the Secretary shall take such actions as are necessary to rehabilitate and make publicly accessible the areas in the Recreation Area identified for year-round day use, including the following:

- (1) Loop A.
- (2) Loop B.
- (3) The covered, large-group picnic pavilion in Loop D.
- (4) The parking lot in Loop D.

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

(a) FILMING IN NATIONAL PARK SYSTEM UNITS.—

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

#### **“SEC. 100905. [16 U.S.C. 100905] Filming and still photography in System units**

“(a) FILMING AND STILL PHOTOGRAPHY.—

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

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

and

“(B) an applicable general management plan.

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

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

“(ii) meets each of the requirements described in paragraph (5); or

“(B) is merely incidental to, or documenting, an activity or event that is allowed or authorized at the System unit, regardless of—

“(i) the number of individuals participating in the allowed or authorized activity or event; or

“(ii) whether any individual receives compensation for any products of the filming or still photography activity.

“(3) FILMING AND STILL PHOTOGRAPHY AUTHORIZATIONS FOR DE MINIMIS USE.—

“(A) IN GENERAL.—The Secretary shall establish a de minimis use authorization for certain filming or still photography activities that meets the requirements described in subparagraph (F).

“(B) POLICY.—For a filming or still photography activity that meets the requirements described in subparagraph (F), the Secretary—

“(i) may require a de minimis use authorization;

and

“(ii) shall not require a permit.

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

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

“(i) through the website of the Service; and

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

“(E) ISSUANCES.—The Secretary shall—

“(i) establish a procedure—

“(I) to automate the approval of an application submitted through the website of the Service under subparagraph (D)(i); and

“(II) to issue a de minimis use authorization under this paragraph immediately on receipt of an application that is submitted in person at the field office of the applicable System unit under subparagraph (D)(ii); and

“(ii) if an application submitted under subparagraph (D) meets the requirements of this paragraph, immediately on receipt of the application issue a de minimis use authorization for the filming or still photography activity.

“(F) REQUIREMENTS.—The Secretary shall only issue a de minimis use authorization under this paragraph if the filming or still photography activity—

“(i) involves a group of not fewer than 6 individuals and not more than 8 individuals;

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

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

“(G) CONTENTS.—A de minimis use authorization issued under this paragraph shall list the requirements described in subparagraph (F).

“(4) REQUIRED PERMITS.—

“(A) IN GENERAL.—Except as provided in paragraph (2)(B), the Secretary may require a permit application and, if a permit is issued, assess a reasonable fee, as described in subsection (b)(1), for a filming or still photography activity that—

“(i) involves more than 8 individuals; or

“(ii) does not meet each of the requirements described in paragraph (5).

“(B) WILDERNESS ACT CLARIFICATION.—No provision of this subsection is intended to or shall be construed to conflict with the provisions of the Wilderness Act of 1964 (16 U.S.C. 1131 et seq.).

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

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

“(i) does not impede or intrude on the experience of other visitors to the applicable System unit;

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

“(I) a natural or cultural resource; or

“(II) an environmental or scenic value; and

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

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

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

“(D) The person does not conduct the filming or still photography activity in a localized area that receives a very high volume of visitation.

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

“(F) The person conducting the filming or still photography activity complies with and adheres to visitor use policies, practices, and regulations applicable to the applicable System unit.

“(G) The filming or still photography activity is not likely to result in additional administrative costs being incurred by the Secretary with respect to the filming or still photography activity, as determined by the Secretary.

“(H) The person conducting the filming or still photography activity complies with other applicable Federal, State (as such term is defined in section 3 of the EXPLORE Act), and local laws (including regulations), including laws relating to the use of unmanned aerial equipment.

“(6) CONTENT CREATION.—Regardless of distribution platform, any video, still photograph, or audio recording for commercial or noncommercial content creation in a System unit shall be considered to be a filming or still photography activity under this subsection.

“(7) EFFECT.—

“(A) PERMITS REQUESTED THOUGH NOT REQUIRED.—On the request of a person intending to carry out a filming or still photography activity, the Secretary may issue a permit for the filming or still photography activity, even if a permit for the filming or still photography activity is not required under this section.

“(B) NO ADDITIONAL PERMITS, COMMERCIAL USE AUTHORIZATIONS, OR FEES FOR FILMING AND STILL PHOTOGRAPHY AT AUTHORIZED EVENTS.—A filming or still photography activity at an activity or event that is allowed or authorized, including a wedding, engagement party, family reunion, or celebration of a graduate, shall be considered merely incidental for the purposes of paragraph (2)(B).

“(C) MONETARY COMPENSATION.—The receipt of monetary compensation by the person conducting the filming or still photography activity shall not affect the permissibility of the filming or still photography activity.

“(b) FEES AND RECOVERY COSTS.—

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

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

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

“(i) The number of days of the filming or still photography activity.

“(ii) The size of the film or still photography crew present in the System unit.

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

“(iv) Any other factors that the Secretary determines to be necessary.

“(2) RECOVERY OF COSTS.—

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

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

“(ii) related administrative and personnel costs.

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

“(3) USE OF PROCEEDS.—

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

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

“(ii) remain available until expended.

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



“(i) be available for expenditure by the Secretary, without further appropriation, at the System unit at which the costs are collected; and

“(ii) remain available until expended.

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

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

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

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

“(d) PROCESSING OF PERMIT APPLICATIONS.—

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

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

“(A) to review the application for the permit;

“(B) to issue the permit; and

“(C) to collect any required fees.”.

(2) CLERICAL AMENDMENT.—The table of sections for chapter 1009 of title 54, United States Code, is amended by striking the item relating to section 100905 and inserting the following:

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

(b) FILMING ON OTHER FEDERAL LAND.—Public Law 106-206 (16 U.S.C. 4601-6d) is amended by striking section 1 and inserting the following:

**“SEC. 1. [16 U.S.C. 4601-6d] FILMING AND STILL PHOTOGRAPHY**

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

**“(1) IN GENERAL.—**The Secretary concerned shall ensure that a filming or still photography activity or similar project at a Federal land management unit (referred to in this section as a ‘filming or still photography activity’) and the authorizing or permitting of a filming or still photography activity are carried out consistent with—

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

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

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

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

“(ii) meets each of the requirements described in paragraph (5); or

“(B) is merely incidental to, or documenting, an activity or event that is allowed or authorized at the Federal land management unit, regardless of—

“(i) the number of individuals participating in the allowed or authorized activity or event; or

“(ii) whether any individual receives compensation for any products of the filming or still photography activity.

“(3) FILMING AND STILL PHOTOGRAPHY AUTHORIZATIONS FOR DE MINIMIS USE.—

“(A) IN GENERAL.—The Secretary concerned shall establish a de minimis use authorization for certain filming or still photography activities that meets the requirements described in subparagraph (F).

“(B) POLICY.—For a filming or still photography activity that meets the requirements described in subparagraph (F), the Secretary concerned—

“(i) may require a de minimis use authorization; and

“(ii) shall not require a permit.

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

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

“(i) through the website of the Department of the Interior or the Forest Service, as applicable; and

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

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

“(i) establish a procedure—

“(I) to automate the approval of an application submitted through the website of the Department of the Interior or the Forest Service, as applicable, under subparagraph (D)(i); and

“(II) to issue a de minimis use authorization under this paragraph immediately on receipt of an application that is submitted in person at the field office for the Federal land management unit under subparagraph (D)(ii); and

“(ii) if an application submitted under subparagraph (D) meets the requirements of this paragraph, immediately on receipt of the application issue a de minimis use authorization for the filming or still photography activity.

“(F) TERMS.—The Secretary concerned shall only issue a de minimis use authorization under this paragraph if the filming or still photography activity—

“(i) involves a group of not fewer than 6 individuals and not more than 8 individuals;

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

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

“(G) CONTENTS.—A de minimis use authorization issued under this paragraph shall list the requirements described in subparagraph (F).

“(4) REQUIRED PERMITS.—

“(A) IN GENERAL.—Except as provided in paragraph (2)(B), the Secretary concerned may require a permit application and, if a permit is issued, assess a reasonable fee, as described in subsection (b)(1), for a filming or still photography activity that—

“(i) involves more than 8 individuals; or

“(ii) does not meet each of the requirements described in paragraph (5).

“(B) WILDERNESS ACT CLARIFICATION.—No provision of this subsection is intended to or shall be construed to conflict with the provisions of the Wilderness Act of 1964 (16 U.S.C. 1131 et seq.).

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

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

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

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

“(I) a natural or cultural resource; or

“(II) an environmental or scenic value; and

“(iii) allows for equitable allocation or use of facilities of the Federal land management unit.

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

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

“(D) The person does not conduct the filming or still photography activity in a localized area that receives a very high volume of visitation.

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

“(F) The person conducting the filming or still photography activity complies with and adheres to visitor use policies, practices, and regulations applicable to the Federal land management unit.

“(G) The filming or still photography activity is not likely to result in additional administrative costs being incurred by the Secretary concerned with respect to the film-

ing or still photography activity, as determined by the Secretary concerned.

“(H) The person conducting the filming or still photography activity complies with other applicable Federal, State (as such term is defined in section 3 of the EXPLORE Act), and local laws (including regulations), including laws relating to the use of unmanned aerial equipment.

“(6) CONTENT CREATION.—Regardless of distribution platform, any video, still photograph, or audio recording for commercial or noncommercial content creation at a Federal land management unit shall be considered to be a filming or still photography activity under this subsection.

“(7) EFFECT.—

“(A) PERMITS REQUESTED THOUGH NOT REQUIRED.—On the request of a person intending to carry out a filming or still photography activity, the Secretary concerned may issue a permit for the filming or still photography activity, even if a permit for the filming or still photography activity is not required under this section.

“(B) NO ADDITIONAL PERMITS, COMMERCIAL USE AUTHORIZATIONS, OR FEES FOR FILMING AND STILL PHOTOGRAPHY AT AUTHORIZED EVENTS.—A filming or still photography activity at an activity or event that is allowed or authorized, including a wedding, engagement party, family reunion, or celebration of a graduate, shall be considered merely incidental for the purposes of paragraph (2)(B).

“(C) MONETARY COMPENSATION.—The receipt of monetary compensation by the person engaged in the filming or still photography activity shall not affect the permissibility of the filming or still photography activity.

“(b) FEES AND RECOVERY COSTS.—

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

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

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

“(i) The number of days of the filming or still photography activity.

“(ii) The size of the film or still photography crew present at the Federal land management unit.

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

“(iv) Any other factors that the Secretary concerned determines to be necessary.

“(2) RECOVERY OF COSTS.—

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

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

“(ii) related administrative and personnel costs.

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

“(3) USE OF PROCEEDS.—

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

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

“(ii) remain available until expended.

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

“(i) be available for expenditure by the Secretary concerned, without further appropriation, at the Federal land management unit at which the costs are collected; and

“(ii) remain available until expended.

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

“(1) there is a likelihood that the person would cause resource damage at the Federal land management unit, except as otherwise authorized;

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

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

“(d) PROCESSING OF PERMIT APPLICATIONS.—

“(1) IN GENERAL.—The Secretary concerned shall establish a process to ensure that the Secretary concerned responds in a timely manner to an application for a permit for a filming or still photography activity required under subsection (a)(4).

“(2) COORDINATION.—If a permit is required under this section for 2 or more Federal agencies or Federal land management units, the Secretary concerned and the head of any other applicable Federal agency, as applicable, shall, to the maximum extent practicable, coordinate permit processing procedures, including through the use of identifying a lead agency or lead Federal land management unit—

“(A) to review the application for the permit;

“(B) to issue the permit; and

“(C) to collect any required fees.

“(e) DEFINITIONS.—In this section:

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

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

“(B) National Forest System land.

“(2) SECRETARY CONCERNED.—The term ‘Secretary concerned’ means—

“(A) the Secretary of the Interior, with respect to land described in paragraph (1)(A); and

“(B) the Secretary of Agriculture, with respect to land described in paragraph (1)(B).”.

**SEC. 126. CAPE AND ANTLER PRESERVATION ENHANCEMENT.**

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

**SEC. 127. [16 U.S.C. 8425] MOTORIZED AND NONMOTORIZED ACCESS.**

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

(1) for each district administered by the Director of the Bureau of Land Management, a ground transportation linear feature map authorized for public use or administrative use; and

(2) for each unit of the National Forest System, a motor vehicle use map, in accordance with existing law.

(b) **OVER-SNOW VEHICLE-USE MAPS.**—The Secretary concerned shall seek to have, not later than 10 years after the date of the enactment of this title, in a printed and publicly available format that is compliant with the format for geographic information systems, an over-snow vehicle-use map for each unit of Federal recreational lands and waters administered by the Chief of the Forest Service or Director of the Bureau of Land Management on which over-snow vehicle-use occurs, in accordance with existing law.

(c) **OUT-OF-DATE MAPS.**—Not later than 20 years after the date on which the Secretary concerned adopted or reviewed, through public notice and comment, a map described in subsection (a) or (b), the Secretary concerned shall seek to review, through public notice and comment, and update, as necessary, the applicable map.

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

(e) **SAVINGS CLAUSE.**—Nothing in this section prohibits a lawful use, including authorized motorized or nonmotorized uses, on Federal recreational lands and waters administered by the Chief of the Forest Service or the Director of the Bureau of Land Management, if the Secretary concerned fails to meet a timeline established under this section.

**SEC. 128. [16 U.S.C. 8426] AQUATIC RESOURCE ACTIVITIES ASSISTANCE.**

(a) **DEFINITIONS.**—In this section:

(1) **AQUATIC NUISANCE SPECIES TASK FORCE.**—The term “Aquatic Nuisance Species Task Force” means the Aquatic Nuisance Species Task Force established by section 1201(a) of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4721(a)).

(2) DECONTAMINATION.—The term “decontamination” means actions to remove aquatic nuisance species to prevent introduction or spread into new aquatic ecosystems.

(3) FEDERAL LAND AND WATER.—The term “Federal land and water” means Federal land and water operated and maintained by the Bureau of Land Management, the U.S. Fish and Wildlife Service, the Bureau of Reclamation, the Forest Service, or the National Park Service, as applicable.

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

(5) INSPECTION.—The term “inspection” means actions to find aquatic nuisance species to prevent introduction or spread into new aquatic ecosystems.

(6) PARTNER.—The term “partner” means—

(A) a Reclamation State;

(B) an Indian Tribe in a Reclamation State;

(C) an applicable nonprofit organization in a Reclamation State;

(D) a unit of local government in a Reclamation State;

or

(E) a private entity.

(7) RECLAMATION STATE.—The term “Reclamation State” includes any of the following States:

(A) Alaska.

(B) Arizona.

(C) California.

(D) Colorado.

(E) Idaho.

(F) Kansas.

(G) Montana.

(H) Nebraska.

(I) Nevada.

(J) New Mexico.

(K) North Dakota.

(L) Oklahoma.

(M) Oregon.

(N) South Dakota.

(O) Texas.

(P) Utah.

(Q) Washington.

(R) Wyoming.

(8) RECLAMATION PROJECT.—The term “reclamation project” has the meaning given such term in section 2803(3) of the Reclamation Projects Authorization and Adjustment Act of 1992 (16 U.S.C. 4601-32(3)).

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

(A) The Secretary, acting through the Director of the Bureau of Land Management, the Commissioner of Reclamation, and the Director of the National Park Service.

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

(10) VESSEL.—The term “vessel” means any watercraft or other contrivance used or designed for transportation or navigation on, under, or immediately above, water.

(b) AUTHORITY OF BUREAU OF LAND MANAGEMENT, BUREAU OF RECLAMATION, NATIONAL PARK SERVICE, AND FOREST SERVICE WITH RESPECT TO CERTAIN AQUATIC RESOURCE ACTIVITIES ON FEDERAL LAND AND WATERS.—

(1) IN GENERAL.—The head of each Federal land management agency is authorized to carry out inspections and decontamination of vessels entering or leaving Federal land and waters under the jurisdiction of the respective Federal land management agency.

(2) REQUIREMENTS.—The Secretaries shall—

(A) in carrying out an inspection and decontamination under paragraph (1), coordinate with 1 or more partners;

(B) consult with the Aquatic Nuisance Species Task Force to identify potential improvements and efficiencies in the detection and management of aquatic nuisance species on Federal land and water; and

(C) to the maximum extent practicable, inspect and decontaminate vessels in a manner that minimizes disruptions to public access for boating and recreation in non-contaminated vessels.

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

(A) to carry out an inspection or decontamination of vessels; or

(B) to establish an inspection and decontamination station for vessels.

(4) LIMITATION.—The Secretaries shall not prohibit access to vessels due solely to the absence of a Federal, State, or partner’s inspection program or station.

(5) EXCEPTIONS.—

(A) AUTHORITY TO REGULATE VESSELS.—Nothing in this section shall be construed to limit the authority of the Commandant of the Coast Guard to regulate vessels provided under any other provision of law.

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

(6) DATA SHARING.—The Secretaries shall make available to a Reclamation State any relevant data gathered related to inspections or decontaminations carried out under this subsection in such State.

(c) GRANT PROGRAM FOR RECLAMATION STATES FOR VESSEL INSPECTION AND DECONTAMINATION STATIONS.—

(1) VESSELS INSPECTIONS IN RECLAMATION STATES.—Subject to the availability of appropriations, the Secretary, acting through the Commissioner of Reclamation, shall establish a competitive grant program to provide financial assistance to partners to conduct inspections and decontamination of vessels operating in Reclamation projects, including to purchase, es-



tablish, operate, or maintain a vessel inspection and decontamination station.

(2) **COST SHARE.**—The Federal share of the cost of a grant under paragraph (1), including personnel costs, shall not exceed 75 percent.

(3) **STANDARDS.**—Before awarding a grant under paragraph (1), the Secretary shall determine that the project is technically and financially feasible.

(4) **COORDINATION.**—In carrying out this subsection, the Secretary shall coordinate with—

- (A) each of the Reclamation States;
- (B) affected Indian Tribes; and
- (C) the Aquatic Nuisance Species Task Force.

## **Subtitle C—Supporting Gateway Communities and Addressing Park Overcrowding**

### **SEC. 131. [16 U.S.C. 8441] GATEWAY COMMUNITIES.**

(a) **ASSESSMENT OF IMPACTS AND NEEDS IN GATEWAY COMMUNITIES.**—The Secretaries—

(1) shall collaborate with State and local governments, Indian Tribes, housing authorities, applicable trade associations, nonprofit organizations, private entities, and other relevant stakeholders to identify needs and economic impacts in gateway communities, including—

- (A) housing shortages;
- (B) demands on existing municipal infrastructure;
- (C) accommodation and management of sustainable visitation; and
- (D) the expansion and diversification of visitor experiences by bolstering the visitation at—

(i) existing developed locations that are underutilized on nearby Federal recreational lands and waters that are suitable for developing, expanding, or enhancing recreation use, as identified by the Secretaries; or

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

(2) may address a need identified under paragraph (1) by—

(A) providing financial or technical assistance to a gateway community under an existing program;

(B) entering into an agreement, right-of-way, or easement, in accordance with applicable laws; or

(C) issuing an entity referred to in paragraph (1) a special use permit (other than a special recreation permit (as defined in section 802 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6801)), in accordance with applicable laws.

(b) **TECHNICAL AND FINANCIAL ASSISTANCE TO BUSINESSES.**—

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

(2) ASSISTANCE.—The Secretary of Agriculture may provide assistance under paragraph (1) through the use of existing, or the establishment of new, entrepreneur and vocational training programs, technical assistance programs, low-interest business loan programs, and loan guarantee programs.

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

**SEC. 132. [16 U.S.C. 8442] IMPROVED RECREATION VISITATION DATA.**

(a) CONSISTENT VISITATION DATA.—

(1) ANNUAL VISITATION DATA.—The Secretaries shall establish a single visitation data reporting system to report accurate annual visitation data, in a consistent manner, for—

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

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

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

(A) establish multiple categories of different recreation activities that are reported consistently across agencies; and

(B) provide an estimate of the number of visitors for each applicable category established under subparagraph (A) for each unit of Federal recreational lands and waters.

(b) REAL-TIME DATA PILOT PROGRAM.—

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

(A) real-time or predictive data on visitation (including data and resources publicly available from existing non-governmental platforms) at—

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

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

(iii) to the extent practicable, recreation sites managed by any other Federal agency, a State agency, or a local agency that are located near the unit of Federal recreational lands and waters; and

(B) through multiple media platforms, information about lesser-known recreation sites located near the unit of Federal recreational lands and waters (including recreation sites managed by any other Federal agency, a State agency, or a local agency), in an effort to encourage visitation among recreational sites.

(2) LOCATIONS.—

(A) INITIAL NUMBER OF UNITS.—On establishment of the Pilot Program, the Secretaries shall select for participation in the Pilot Program—

(i) 10 units of Federal recreational lands and waters managed by the Secretary;

(ii) 5 units of Federal recreational lands and waters managed by the Secretary of Agriculture (acting through the Chief of the Forest Service);

(iii) 1 unit of Federal recreational lands and waters managed by the Secretary of Commerce (acting through the Administrator of the National Oceanic and Atmospheric Administration); and

(iv) 1 unit of Federal recreational lands and waters managed by the Assistant Secretary of Army for Civil Works.

(B) REPORT.—Not later than 6 years after the date of the enactment of this title, the Secretaries shall submit a report to Congress regarding the implementation of the pilot program, including policy recommendations to expand the pilot program to additional units managed by the Secretaries.

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

(i) solicit feedback regarding participation in the Pilot Program from communities adjacent to units of Federal recreational lands and waters and the public; and

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

(3) DISSEMINATION OF INFORMATION.—The Secretaries may disseminate the information described in paragraph (1) directly or through an entity or organization referred to in subsection (c).

(4) INCLUSION OF CURRENT ASSESSMENTS.—In carrying out the Pilot Program, the Secretaries may, to the extent practicable, rely on assessments completed or data gathered prior to the date of enactment of this title.

(c) **COMMUNITY PARTNERS AND THIRD-PARTY PROVIDERS.**—For purposes of carrying out this section, the Secretary concerned may—

- (1) coordinate and partner with—
  - (A) communities adjacent to units of Federal recreational lands and waters;
  - (B) State and local outdoor recreation and tourism offices;
  - (C) local governments;
  - (D) Indian Tribes;
  - (E) trade associations;
  - (F) local outdoor recreation marketing organizations;
  - (G) permitted facilitated recreation providers; or
  - (H) other relevant stakeholders; and
- (2) coordinate or enter into agreements, as appropriate, with private sector and nonprofit partners, including—
  - (A) technology companies;
  - (B) geospatial data companies;
  - (C) experts in data science, analytics, and operations research; or
  - (D) data companies.

(d) **EXISTING PROGRAMS.**—The Secretaries may use existing programs or products of the Secretaries to carry out this section.

(e) **PRIVACY CLAUSES.**—Nothing in this section provides authority to the Secretaries—

- (1) to monitor or record the movements of a visitor to a unit of Federal recreational lands and waters;
- (2) to restrict, interfere with, or monitor a private communication of a visitor to a unit of Federal recreational lands and waters; or
- (3) to collect—
  - (A) information from owners of land adjacent to a unit of Federal recreational lands and waters; or
  - (B) information on non-Federal land.

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

(g) **DEFINITIONS.**—In this section—

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

(A) has the meaning given the term in section 802 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6801); and

(B) includes Federal lands and waters managed by the National Oceanic and Atmospheric Administration and the U.S. Army Corps of Engineers.

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

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

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

(C) the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration, with respect to Federal waters under the jurisdiction of the National Oceanic and Atmospheric Administration; and

(D) the Assistant Secretary of Army for Civil Works, with respect to lakes and reservoirs under the jurisdiction of the U.S. Army Corps of Engineers.

**SEC. 133. [16 U.S.C. 8443] MONITORING FOR IMPROVED RECREATION DECISION MAKING.**

(a) **IN GENERAL.**—The Secretaries shall seek to capture comprehensive recreation use data to better understand and inform decision making by the Secretaries.

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

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

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

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

(3) the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration, with respect to Federal waters under the jurisdiction of the National Oceanic and Atmospheric Administration; and

(4) the Assistant Secretary of Army for Civil Works, with respect to lakes and reservoirs under the jurisdiction of the U.S. Army Corps of Engineers.

## **Subtitle D—Broadband Connectivity on Federal Recreational Lands and Waters**

**SEC. 141. [16 U.S.C. 8451] CONNECT OUR PARKS.**

(a) **DEFINITIONS.**—In this section:

(1) **APPROPRIATE COMMITTEES OF CONGRESS.**—The term “appropriate committees of Congress” means—

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

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

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

(D) the Committee on Energy and Commerce of the House of Representatives.

(2) BROADBAND INTERNET ACCESS SERVICE.—The term “broadband internet access service” has the meaning given the term in section 8.1(b) of title 47, Code of Federal Regulations (or a successor regulation).

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

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

(5) SECRETARY.—The term “Secretary” means the Secretary of the Interior, acting through the Director of the National Park Service.

(b) ASSESSMENT.—

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

(A) locations in National Parks in which there is the greatest need for broadband internet access service, based on the considerations described in paragraph (2)(A); and

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

(2) CONSIDERATIONS.—

(A) BROADBAND INTERNET ACCESS SERVICE.—For purposes of identifying locations in National Parks under paragraph (1)(A), the Secretary shall consider, with respect to each National Park, the availability of broadband internet access service in—

(i) housing;

(ii) administrative facilities and related structures;

(iii) lodging;

(iv) developed campgrounds; and

(v) any other location within the National Park in which broadband internet access service is determined to be necessary by the superintendent of the National Park.

(B) CELLULAR SERVICE.—For purposes of identifying areas in National Parks under paragraph (1)(B), the Secretary shall consider, with respect to each National Park, the availability of cellular service in any developed area within the National Park that would increase—

(i) the access of the public to emergency services and traveler information technologies; or

(ii) the communications capabilities of National Park Service employees.

(3) REPORT.—On completion of the assessment under paragraph (1), the Secretary shall submit to the appropriate committees of Congress, and make available on the website of the Department of the Interior, a report describing the results of the assessment.

(c) PLAN.—

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

(A) to install broadband internet access service infrastructure in certain locations in National Parks; and

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

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

(A) affected Indian Tribes; and

(B) local stakeholders that the superintendent of the applicable National Park determines to be appropriate.

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

(A) provide for avoiding or minimizing impacts to—

(i) National Park viewsheds;

(ii) cultural and natural resources;

(iii) the visitor experience;

(iv) historic properties and the viewsheds of historic properties; and

(v) other resources or values of the National Park.

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

(i) previously disturbed or developed areas; or

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

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

(i) to install broadband internet access service or cellular service equipment; and

(ii) to provide broadband internet access service or cellular service;

(D) be technology neutral; and

(E) in the case of broadband internet access service, provide for broadband internet access service of at least—

(i) a 100-Mbps downstream transmission capacity;

and

(ii) a 20-Mbps upstream transmission capacity.

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

**SEC. 142. [16 U.S.C. 8452] BROADBAND INTERNET CONNECTIVITY AT DEVELOPED RECREATION SITES.**

(a) IN GENERAL.—The Secretary and the Chief of the Forest Service shall enter into an agreement with the Secretary of Commerce to foster the installation or construction of broadband internet infrastructure at developed recreation sites on Federal recreational lands and waters to establish broadband internet connectivity—

(1) subject to the availability of appropriations; and

(2) in accordance with applicable law.

(b) IDENTIFICATION.—Not later than 3 years after the date of the enactment of this title, and annually thereafter through fiscal year 2031, the Secretary and the Chief of the Forest Service, in coordination with States and local communities, shall make publicly available—

(1) a list of the highest priority developed recreation sites, as determined under subsection (c), on Federal recreational lands and waters that lack broadband internet;

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

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

(B) the annual cost to operate that infrastructure; and

(3) a list of potential—

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

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

(c) PRIORITIES.—In selecting developed recreation sites for the list described in subsection (b)(1), the Secretary and the Chief of the Forest Service shall give priority to developed recreation sites—

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

(A) geographic challenges; or

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

(2) that are located in an economically distressed county that could benefit significantly from developing the outdoor recreation economy of the county.

**SEC. 143. [16 U.S.C. 8453] PUBLIC LANDS TELECOMMUNICATIONS CO-OPERATIVE AGREEMENTS.**

(a) COOPERATIVE AGREEMENTS FOR THE DEPARTMENT OF THE INTERIOR.—The Secretary may enter into cooperative agreements to carry out activities related to communications sites on lands managed by Federal land management agencies, including—

(1) administering communications use authorizations;

(2) preparing needs assessments or other programmatic analyses necessary to establish communications sites and authorize communications uses on or adjacent to Federal recreational lands and waters managed by a Federal land management agency;

(3) developing management plans for communications sites on or adjacent to Federal recreational lands and waters managed by a Federal land management agency on a competitively neutral, technology neutral, nondiscriminatory basis;

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

(5) obtaining, improving access to, or establishing communications sites on or adjacent to Federal recreational lands and waters managed by a Federal land management agency; and

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



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

“(6) COOPERATIVE AGREEMENT AUTHORITY.—Subject to the availability of appropriations made in advance for such purposes, the Secretary may enter into cooperative agreements to carry out the activities described in subparagraphs (A) through (D) of paragraph (4).”.

(c) ASSESSMENT OF RENTAL FEE RETENTION AUTHORITY.—Not later than 1 year after the date of the enactment of this title, the Secretary shall conduct a comprehensive assessment to evaluate the potential benefits of rental fee retention whereby any fee collected for the occupancy and use of Federal lands and waters authorized by a communications use authorization would be deposited into a special account and used solely for activities related to communications sites on lands and waters managed by the Secretary.

## Subtitle E—Public-Private Parks Partnerships

### SEC. 151. AUTHORIZATION FOR LEASE OF FOREST SERVICE ADMINISTRATIVE SITES.

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

(1) in subsection (a)(2)(D), by striking “dwelling;” and inserting “dwelling or multiunit dwelling;”;

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

(3) in subsection (e)—

(A) in paragraph (3)(B)(ii)—

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

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

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

(iv) by adding at the end the following:

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

“(aa) occur at another administrative site in the same unit in which the administrative site is located or a different unit of the National Forest System;

“(bb) benefit the National Forest System;

and

“(cc) support activities occurring within the unit of the National Forest System in which the administrative site is located; or”;

and

(B) by adding at the end the following:

“(C) SAVINGS.—A reauthorization of use under subparagraph (B) may include new terms in the use, as deter-

mined by the Chief of the Forest Service, or their designee.”;

“(6) LEASE TERM.—

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

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

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

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

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

(4) in subsection (g), by—

(A) striking “to a leaseholder” after “payments”; and

(B) inserting “or constructed” after “improved”; and

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

**SEC. 152. PARTNERSHIP AGREEMENTS CREATING TANGIBLE SAVINGS.**

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

**“SEC. 101703. Cooperative management agreements**

“(a) IN GENERAL.—To facilitate the administration of the System, the Secretary, under such terms and conditions as the Secretary considers advisable, may enter into an agreement with an eligible entity managing lands and waters located near a System unit to provide for cooperative management of either a System unit or the lands and waters located near a System unit to promote more effective and efficient management of a System unit. The Secretary may not transfer administration responsibilities for any System unit under this paragraph.

“(b) PROVISION OF GOODS AND SERVICES.—

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

“(2) RETENTION OF FUNDS.—Reimbursements received under this section may be credited to the appropriation current at the time reimbursements are received.

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

“(d) EMPLOYEES.—

“(1) ASSIGNMENT OF EMPLOYEE.—The Secretary may arrange an assignment under section 3372 of title 5 of a Federal employee or an employee of an eligible entity as mutually

agreed upon, for work on any Federal, State, local, or Tribal land.

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

“(e) DEFINITIONS.—In this section—

“(1) ELIGIBLE ENTITY.—The term ‘eligible entity’ means a State or local entity or any political subdivision thereof, or an Indian Tribe or Tribal organization.

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

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

“(4) TRIBAL ORGANIZATION.—The term ‘Tribal organization’ has the meaning given the term in section 4(l) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304(1)).”.

**SEC. 153. [16 U.S.C. 8461] PARTNERSHIP AGREEMENTS TO MODERNIZE FEDERALLY OWNED CAMPGROUNDS, RESORTS, CABINS, AND VISITOR CENTERS ON FEDERAL RECREATIONAL LANDS AND WATERS.**

(a) DEFINITIONS.—In this section:

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

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

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

(2) COVERED RECREATION FACILITY.—The term “covered recreation facility” means a federally owned campground, resort, cabin, or visitor center that is—

(A) in existence on the date of the enactment of this title; and

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

(i) the Chief of the Forest Service; or

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

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

(A) a unit of State, Tribal, or local government;

(B) a nonprofit organization; and

(C) a private entity.

(b) PILOT PROGRAM.—The Secretaries shall establish a pilot program under which the Secretary concerned may enter into an agreement with, or issue or amend a land use authorization to, an eligible entity to allow the eligible entity to carry out covered activities relating to a covered recreation facility, subject to the requirements of this section and the terms of any relevant land use authorization, regardless of whether the eligible entity holds, on

the date of the enactment of this title, an authorization to be a concessionaire for the covered recreation facility.

(c) **MINIMUM NUMBER OF AGREEMENTS OR LAND USE AUTHORIZATIONS.** —Not later than 3 years after the date of the enactment of this title, the Secretary concerned shall enter into at least 1 agreement or land use authorization under subsection (b) in—

(1) a unit of the National Forest System in each region of the National Forest System; and

(2) Federal recreational lands and waters administered by the Director of the Bureau of Land Management in not fewer than 5 States in which the Bureau of Land Management administers Federal recreational lands and waters.

(d) **REQUIREMENTS.**—

(1) **DEVELOPMENT PLANS.**—Before entering into an agreement or issuing a land use authorization under subsection (b), an eligible entity shall submit to the Secretary concerned a development plan that—

(A) describes investments in the covered recreation facility to be made by the eligible entity during the first 3 years of the agreement or land use authorization;

(B) describes annual maintenance spending to be made by the eligible entity for each year of the agreement or land use authorization; and

(C) includes any other terms and conditions determined to be necessary or appropriate by the Secretary concerned.

(2) **AGREEMENTS AND LAND USE AUTHORIZATIONS.**—An agreement or land use authorization under subsection (b) shall—

(A) be for a term of not more than 30 years, commensurate with the level of investment;

(B) require that, not later than 3 years after the date on which the Secretary concerned enters into the agreement or issues or amends the land use authorization, the applicable eligible entity shall expend, place in an escrow account for the eligible entity to expend, or deposit in a special account in the Treasury for expenditure by the Secretary concerned, without further appropriation, for covered activities relating to the applicable covered recreation facility, an amount or specified percentage, as determined by the Secretary concerned, which shall be equal to not less than \$500,000, of the anticipated receipts for the term of the agreement or land use authorization;

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

(D) include any terms and conditions that the Secretary concerned determines to be necessary for a special use permit issued under section 7 of the Act of April 24, 1950 (commonly known as the “Granger-Thye Act”) (64 Stat. 84, chapter 97; 16 U.S.C. 580d), including the payment described in subparagraph (E) or the Federal Land

Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), as applicable;

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

(i) consistent with—

(I) the land use fee for a special use permit authorized under section 7 of the Act of April 24, 1950 (commonly known as the “Granger-Thye Act”) (64 Stat. 84, chapter 97; 16 U.S.C. 580d); or

(II) the value to the eligible entity of the rights provided by the agreement or land use authorization, taking into account the capital invested by, and obligations of, the eligible entity under the agreement or land use authorization; and

(ii) all or part of which may be offset by the work to be performed at the expense of the eligible entity that is separate from the routine costs of operating and maintaining the applicable covered recreation facility and any associated infrastructure designated by the Secretary concerned, as determined to be appropriate by the Secretary concerned;

(F) include provisions stating that—

(i) the eligible entity shall obtain no property interest in the covered recreation facility pursuant to the expenditures of the eligible entity, as required by the agreement or land use authorization;

(ii) all structures and other improvements constructed, reconstructed, or nonroutinely maintained by that entity under the agreement or land use authorization on land owned by the United States shall be the property of the United States; and

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

(G) be subject to any other terms and conditions determined to be necessary or appropriate by the Secretary concerned.

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

**SEC. 154. [16 U.S.C. 8462] PARKING AND RESTROOM OPPORTUNITIES FOR FEDERAL RECREATIONAL LANDS AND WATERS.**

(a) **PARKING OPPORTUNITIES.**—

(1) **IN GENERAL.**—The Secretaries shall seek to increase and improve parking opportunities for persons recreating on Federal recreational lands and waters—

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

(B) in a manner that minimizes any increase in maintenance obligations on Federal recreational lands and waters; and

(C) in a manner that does not impact wildlife habitat that is critical to the mission of a Federal agency responsible for managing Federal recreational lands and waters.

(2) **AUTHORITY.**—To supplement the quantity of parking spaces available at units of Federal recreational lands and waters on the date of the enactment of this title, the Secretaries may—

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

(B) enter into contracts or agreements with State, Tribal, or local governments for parking opportunities using non-Federal lands and resources; or

(C) provide alternative transportation systems for a unit of Federal recreational lands and waters.

(b) **RESTROOM OPPORTUNITIES.**—

(1) **IN GENERAL.**—The Secretaries shall seek to increase and improve the function, cleanliness, and availability of restroom facilities for persons recreating on Federal recreational lands and waters, including by entering into partnerships with non-Federal partners, including State, Tribal, and local governments and volunteer organizations.

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

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

(B) the current state of restroom facilities on Federal recreational lands and waters and the effect restroom facilities have on visitor experiences; and

(C) policy recommendations that suggest innovative new models or partnerships to increase or improve the function, cleanliness, and availability of restroom facilities for persons recreating on Federal recreational lands and waters.

**SEC. 155. [16 U.S.C. 8463] PAY-FOR-PERFORMANCE PROJECTS.**

(a) **DEFINITIONS.**—In this section:

(1) **INDEPENDENT EVALUATOR.**—The term “independent evaluator” means an individual or entity, including an institution of higher education, that is selected by the pay-for-performance beneficiary and pay-for-performance investor, as applicable, or by the pay-for-performance project developer, in consultation with the Secretary of Agriculture, to make the determinations and prepare the reports required under subsection (e).

(2) **NATIONAL FOREST SYSTEM LAND.**—The term “National Forest System land” means land in the National Forest System

(as defined in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a))).

(3) PAY-FOR-PERFORMANCE AGREEMENT.—The term “pay-for-performance agreement” means a mutual benefit agreement (excluding a procurement contract, grant agreement, or cooperative agreement described in chapter 63 of title 31, United States Code) for a pay-for-performance project—

(A) with a term of—

(i) not less than 1 year; and

(ii) not more than 20 years; and

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

(i) the Secretary of Agriculture; and

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

(4) PAY-FOR-PERFORMANCE BENEFICIARY.—The term “pay-for-performance beneficiary” means a State or local government, an Indian Tribe, or a nonprofit or for-profit organization that—

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

(B) provides capital directly for costs associated with a pay-for-performance project.

(5) PAY-FOR-PERFORMANCE INVESTOR.—The term “pay-for-performance investor” means a State or local government, an Indian Tribe, or a nonprofit or for-profit organization that provides upfront loaned capital for a pay-for-performance project with the expectation of a financial return dependent on a project outcome.

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

(A) would provide or enhance a recreational opportunity;

(B) is conducted on—

(i) National Forest System land; or

(ii) other land, if the activities would benefit National Forest System land (including a recreational use of National Forest System land); and

(C) would use an innovative funding or financing model that leverages—

(i) loaned capital from a pay-for-performance investor to cover upfront costs associated with a pay-for-performance project, with the loaned capital repaid by a pay-for-performance beneficiary at a rate of return dependent on a project outcome, as measured by an independent evaluator; or

(ii) capital directly from a pay-for-performance beneficiary to support costs associated with a pay-for-performance project in an amount based on an anticipated project outcome.

(7) PAY-FOR-PERFORMANCE PROJECT DEVELOPER.—The term “pay-for-performance project developer” means a nonprofit or for-profit organization that serves as an intermediary to assist

in developing or implementing a pay-for-performance agreement or a pay-for-performance project.

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

(b) ESTABLISHMENT OF PILOT PROGRAM.—The Secretary of Agriculture shall establish a pilot program in accordance with this section to carry out 1 or more pay-for-performance projects.

(c) PAY-FOR-PERFORMANCE PROJECTS.—

(1) IN GENERAL.—Using funds made available through a pay-for-performance agreement or appropriations, all or any portion of a pay-for-performance project may be implemented by—

(A) the Secretary of Agriculture; or

(B) a pay-for-performance project developer or a third party, subject to the conditions that—

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

(ii) the implementation is in accordance with applicable law.

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

(3) OWNERSHIP.—

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

(B) EXISTING IMPROVEMENTS.—Investing in, conducting, or completing a pay-for-performance project on National Forest System land shall not affect the title of the United States to—

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

(ii) the underlying land.

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

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

(d) PROJECT AGREEMENTS.—

(1) IN GENERAL.—Notwithstanding the Act of June 30, 1914 (38 Stat. 430, chapter 131; 16 U.S.C. 498), or subtitle C of title XX of the Social Security Act (42 U.S.C. 1397n et seq.), in carrying out the pilot program under this section, the Secretary of Agriculture may enter into a pay-for-performance agreement under which a pay-for-performance beneficiary, pay-for-performance investor, or pay-for-performance project devel-



oper agrees to pay for or finance all or part of a pay-for-performance project.

(2) SIZE LIMITATION.—The Secretary of Agriculture may not enter into a pay-for-performance agreement under the pilot program under this section for a pay-for-performance project valued at more than \$15,000,000.

(3) FINANCING.—

(A) IN GENERAL.—A pay-for-performance agreement shall specify the amounts that a pay-for-performance beneficiary or a pay-for-performance project developer agrees to pay to a pay-for-performance investor or a pay-for-performance project developer, as appropriate, in the event of an independent evaluator determining pursuant to subsection (e) the degree to which a project outcome has been achieved.

(B) ELIGIBLE PAYMENTS.—An amount described in subparagraph (A) shall be—

(i) based on—

(I) the respective contributions of the parties under the pay-for-performance agreement; and

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

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

(II) a percentage of the estimated cost savings to the pay-for-performance beneficiary or the Secretary of Agriculture derived from a project outcome;

(III) a percentage of the enhanced revenue to the pay-for-performance beneficiary or the Secretary of Agriculture derived from a project outcome; or

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

(C) FOREST SERVICE FINANCIAL ASSISTANCE.—Subject to the availability of appropriations, the Secretary of Agriculture may contribute funding for a pay-for-performance project only if—

(i) the Secretary of Agriculture demonstrates that—

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

(II) the funding would accelerate the pace of implementation of an activity previously planned to be completed by the Secretary of Agriculture; or

(III) the funding would accelerate the scale of implementation of an activity previously planned to be completed by the Secretary of Agriculture; and

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

(D) SPECIAL ACCOUNT.—Any funds received by the Secretary of Agriculture under subsection (c)(1)—

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

(ii) shall remain available until expended and without further appropriation.

(4) MAINTENANCE AND DECOMMISSIONING OF PAY-FOR-PERFORMANCE PROJECT IMPROVEMENTS.—A pay-for-performance agreement shall—

(A) include a plan for maintaining any capital improvement constructed as part of a pay-for-performance project after the date on which the pay-for-performance project is completed; and

(B) specify the party that will be responsible for decommissioning the improvements associated with the pay-for-performance project—

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

(ii) if the improvements no longer serve the purpose for which the improvements were developed; or

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

(5) TERMINATION OF PAY-FOR-PERFORMANCE PROJECT AGREEMENTS.—The Secretary of Agriculture may unilaterally terminate a pay-for-performance agreement, in whole or in part, for any program year beginning after the program year during which the Secretary of Agriculture provides to each party to the pay-for-performance agreement a notice of the termination.

(e) INDEPENDENT EVALUATIONS.—

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

(A) by not later than 2 years after the date on which the pay-for-performance agreement is executed, and at least once every 2 years thereafter, a written report that summarizes the progress that has been made in achieving each project outcome; and

(B) before the first scheduled date for a payment described in subsection (d)(3)(A), and each subsequent date for payment, a written report that—

(i) summarizes the results of the evaluation conducted by the independent evaluator to determine whether a payment should be made pursuant to the pay-for-performance agreement; and

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

(2) FINAL REPORTS.—Not later than 180 days after the date on which a pay-for-performance project is completed, the independent evaluator shall submit to the Secretary of Agriculture and each party to the pay-for-performance agreement a written report that includes, with respect to the period covered by the report—

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

- (B) a determination of whether the pay-for-performance project has met each project outcome; and
    - (C) the amount of the payments made for the pay-for-performance project pursuant to subsection (d)(3)(A).
  - (f) **ADDITIONAL FOREST SERVICE-PROVIDED ASSISTANCE.**—
    - (1) **TECHNICAL ASSISTANCE.**—The Secretary of Agriculture may provide technical assistance to facilitate pay-for-performance project development, such as planning, permitting, site preparation, and design work.
    - (2) **CONSULTANTS.**—Subject to the availability of appropriations, the Secretary of Agriculture may hire a contractor—
      - (A) to conduct a feasibility analysis of a proposed pay-for-performance project;
      - (B) to assist in the development, implementation, or evaluation of a proposed pay-for-performance project or a pay-for-performance agreement; or
      - (C) to assist with an environmental analysis of a proposed pay-for-performance project.
  - (g) **SAVINGS CLAUSE.**—The Secretary of Agriculture shall approve a record of decision, decision notice, or decision memo for any activities to be carried out on National Forest System land as part of a pay-for-performance project before the Secretary of Agriculture may enter into a pay-for-performance agreement involving the applicable pay-for-performance project.
  - (h) **DURATION OF PILOT PROGRAM.**—
    - (1) **SUNSET.**—The authority to enter into a pay-for-performance agreement under this section terminates on the date that is 7 years after the date of the enactment of this title.
    - (2) **SAVINGS CLAUSE.**—Nothing in paragraph (1) affects any pay-for-performance project agreement entered into by the Secretary of Agriculture under this section before the date described in that paragraph.
- SEC. 156. [16 U.S.C. 8464] OUTDOOR RECREATION LEGACY PARTNERSHIP PROGRAM.**
- (a) **DEFINITIONS.**—In this section:
    - (1) **ELIGIBLE ENTITY.**—The term “eligible entity” means an entity or combination of entities that represents or otherwise serves a qualifying area.
    - (2) **ELIGIBLE NONPROFIT ORGANIZATION.**—The term “eligible nonprofit organization” means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.
    - (3) **ENTITY.**—The term “entity” means—
      - (A) a State;
      - (B) a political subdivision of a State, including—
        - (i) a city;
        - (ii) a county; or
        - (iii) a special purpose district that manages open space, including a park district; and
      - (C) an Indian Tribe, urban Indian organization, or Alaska Native or Native Hawaiian community or organization.

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

(5) **OUTDOOR RECREATION LEGACY PARTNERSHIP PROGRAM.**—The term “Outdoor Recreation Legacy Partnership Program” means the program codified under subsection (b)(1).

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

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

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

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

(b) **GRANTS AUTHORIZED.**—

(1) **CODIFICATION OF PROGRAM.**—

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

(i) to acquire land and water for parks and other outdoor recreation purposes in qualifying areas; and

(ii) to develop new or renovate existing outdoor recreation facilities that provide outdoor recreation opportunities to the public in qualifying areas.

(B) **PRIORITY.**—In awarding grants to eligible entities under subparagraph (A), the Secretary shall give priority to projects that—

(i) create or significantly enhance access to park and recreational opportunities in a qualifying area;

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

(iii) provide employment or job training opportunities for youth or low-income communities;

(iv) establish or expand public-private partnerships, with a focus on leveraging resources; and

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

(2) **MATCHING REQUIREMENT.**—

(A) **IN GENERAL.**—As a condition of receiving a grant under paragraph (1), an eligible entity shall provide matching funds in the form of cash or an in-kind contribution in an amount equal to not less than 100 percent of the amounts made available under the grant.

(B) **ADMINISTRATIVE EXPENSES.**—Not more than 7 percent of funds provided to an eligible entity under a grant awarded under paragraph (1) may be used for administrative expenses.

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

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

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

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

(i) opportunities; or

(ii) delivery of services;

(D) support park and recreation programming provided by local governments, including cooperative agreements with community-based eligible nonprofit organizations;

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

(F) provide benefits such as community resilience, reduction of urban heat islands, enhanced water or air quality, or habitat for fish or wildlife; and

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

(4) ELIGIBLE USES.—

(A) IN GENERAL.—Subject to subparagraph (B), an eligible entity may use a grant awarded under paragraph (1) for a project described in subparagraph (A) or (B) of that paragraph.

(B) LIMITATIONS ON USE.—An eligible entity may not use grant funds for—

(i) incidental costs related to land acquisition, including appraisal and titling;

(ii) operation and maintenance activities;

(iii) facilities that support semiprofessional or professional athletics;

(iv) indoor facilities, such as recreation centers or facilities that support primarily nonoutdoor purposes; or

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

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

(i) IN GENERAL.—No property acquired or developed with assistance under this section shall, without the approval of the Secretary, be converted to other than public outdoor recreation use.

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

(iii) WETLAND AREAS AND INTERESTS THEREIN.—Wetland areas and interests therein as identified in the wetlands provisions of the comprehensive plan and

proposed to be acquired as suitable replacement property within the same State that is otherwise acceptable to the Secretary, acting through the Director of the National Park Service, shall be deemed to be of reasonably equivalent usefulness with the property proposed for conversion.

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

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

(2) evaluate and score all qualifying applications; and

(3) provide culturally and linguistically appropriate information to eligible entities (including low-income communities and eligible entities serving low-income communities) on—

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

(B) the application procedures by which eligible entities may apply for grants under this section; and

(C) eligible uses for grants under this section.

(d) REPORTING.—

(1) ANNUAL REPORTS.—Not later than 30 days after the last day of each report period, each State-lead agency that receives a grant under this section shall annually submit to the Secretary performance and financial reports that—

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

(B) provide the status of the project.

(2) FINAL REPORTS.—Not later than 90 days after the earlier of the date of expiration of a project period or the completion of a project, each State-lead agency that receives a grant under this section shall submit to the Secretary a final report containing such information as the Secretary may require.

#### **SEC. 157. AMERICAN BATTLEFIELD PROTECTION PROGRAM ENHANCEMENT.**

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

##### **“SEC. 308101. Definitions**

“In this chapter:

“(1) SECRETARY.—The term ‘Secretary’ means the Secretary, acting through the American Battlefield Protection Program.

“(2) BATTLEFIELD REPORTS.—The term ‘Battlefield Reports’ means, collectively—

“(A) the document entitled ‘Report on the Nation’s Civil War Battlefields’, prepared by the Civil War Sites Advisory Commission, and dated July 1993; and

“(B) the document entitled ‘Report to Congress on the Historic Preservation of Revolutionary War and War of 1812 Sites in the United States’, prepared by the National Park Service, and dated September 2007.”.

(b) PRESERVATION ASSISTANCE.—Section 308102(a) of title 54, United States Code, is amended by striking “Federal” and all that

follows through “organizations” and inserting “Federal agencies, States, Tribes, local governments, other public entities, educational institutions, and nonprofit organizations”.

(c) BATTLEFIELD LAND ACQUISITION GRANTS IMPROVEMENTS.—Section 308103 of title 54, United States Code, is amended—

(1) by amending subsection (a) to read as follows:

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

“(1) means a site that—

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

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

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

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

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

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

(d) BATTLEFIELD RESTORATION GRANTS IMPROVEMENTS.—Section 308105 of title 54, United States Code, is amended—

(1) by amending subsection (a) to read as follows:

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

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

“(2) battlefield land that is—

“(A) owned by a State, Tribe, local government, or nonprofit organization; and

“(B) referred to in the Battlefield Reports.”; and

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

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

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

“(2) on battlefield land that is—

“(A) owned by a State, Tribe, local government, or nonprofit organization; and

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

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

**“SEC. 308106. [54 U.S.C. 308106] Updates and improvements to Battlefield Reports**

“Not later than 2 years after the date of the enactment of this section, and every 10 years thereafter, the Secretary shall submit

to Congress a report that updates the Battlefield Reports to reflect—

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

“(2) changes in the condition, including core and study areas, of the battlefields during that period; and

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

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

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

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

## TITLE II—ACCESS AMERICA

### SEC. 201. [16 U.S.C. 8471] DEFINITIONS.

In this title:

(1) ACCESSIBLE TRAIL.—The term “accessible trail” means a trail that meets the requirements for a trail under the Architectural Barriers Act accessibility guidelines.

(2) ARCHITECTURAL BARRIERS ACT ACCESSIBILITY GUIDELINES.—The term “Architectural Barriers Act accessibility guidelines” means the accessibility guidelines set forth in appendices C and D to part 1191 of title 36, Code of Federal Regulations (or successor regulations).

(3) ASSISTIVE TECHNOLOGY.—The term “assistive technology” means any item, piece of equipment, or product system, whether acquired commercially, modified, or customized, that is used to increase, maintain, or improve functional capabilities of individuals with disabilities, particularly with participating in outdoor recreation activities.

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

(5) OUTDOOR CONSTRUCTED FEATURE.—The term “outdoor constructed feature” has the meaning given such term in appendix C to part 1191 of title 36, Code of Federal Regulations (or successor regulations).

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

## Subtitle A—Access for People With Disabilities

### SEC. 211. [16 U.S.C. 8481] ACCESSIBLE RECREATION INVENTORY.

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



(1) carry out a comprehensive assessment of outdoor recreation facilities on Federal recreational lands and waters under the jurisdiction of the respective Secretary concerned to determine the accessibility of such outdoor recreation facilities, consistent with the Architectural Barriers Act of 1968 (42 U.S.C. 4151 et seq.) and section 504 of the Rehabilitation Act (29 U.S.C. 794), including—

- (A) camp shelters, camping facilities, and camping units;
- (B) boat launch ramps;
- (C) hunting, fishing, shooting, or archery ranges or locations;
- (D) outdoor constructed features;
- (E) picnic facilities and picnic units; and
- (F) any other outdoor recreation facilities, as determined by the Secretary concerned; and

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

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

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

(c) **PUBLIC INFORMATION.**—Not later than 7 years after the date of the enactment of this title, the Secretary concerned shall identify opportunities to create, update, or replace signage and other publicly available information, including web page information, related to accessibility and consistent with the Architectural Barriers Act of 1968 (42 U.S.C. 4151 et seq.) and section 504 of the Rehabilitation Act (29 U.S.C. 794) at outdoor recreation facilities covered by the assessment required under subsection (a)(1).

**SEC. 212. [16 U.S.C. 8482] TRAIL INVENTORY.**

(a) **ASSESSMENT.**—Not later than 7 years after the date of the enactment of this title, the Secretary concerned shall—

(1) conduct a comprehensive assessment of high-priority trails, in accordance with subsection (b), on Federal recreational lands and waters under the jurisdiction of the respective Secretary concerned, including measuring each trail's—

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

(2) make information about such high-priority trails available (including through the use of prominently displayed links) on public websites of—

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

- (B) each relevant unit and subunit of the Federal land management agencies.
- (b) **SELECTION.**—The Secretary concerned shall select high-priority trails to be assessed under subsection (a)(1)—
- (1) in consultation with stakeholders, including veterans organizations and organizations with expertise or experience providing outdoor recreation opportunities to individuals with disabilities;
  - (2) in a geographically equitable manner; and
  - (3) in no fewer than 15 units or subunits managed by the Secretary concerned.
- (c) **INCLUSION OF CURRENT ASSESSMENTS.**—As part of the assessment required under subsection (a)(1), the Secretary concerned may, to the extent practicable, rely on assessments completed or data gathered prior to the date of the enactment of this title.
- (d) **PUBLIC INFORMATION.**—
- (1) **IN GENERAL.**—Not later than 7 years after the date of the enactment of this title, the Secretary concerned shall identify opportunities to replace signage and other publicly available information, including web page information, related to such high-priority trails and consistent with the Architectural Barriers Act of 1968 (42 U.S.C. 4151 et seq.) and section 504 of the Rehabilitation Act (29 U.S.C. 794) at high-priority trails covered by the assessment required under subsection (a)(1).
  - (2) **TREAD OBSTACLES.**—As part of the assessment required under subsection (a)(1), the Secretary may, to the extent practicable, include photographs or descriptions of tread obstacles and barriers.
- (e) **ASSISTIVE TECHNOLOGY SPECIFICATION.**—In publishing information about each trail under this subsection, the Secretary concerned shall make public information about trails that do not meet the Architectural Barriers Act accessibility guidelines but could otherwise provide outdoor recreation opportunities to individuals with disabilities through the use of certain assistive technology.
- SEC. 213. [16 U.S.C. 8483] TRAIL PILOT PROGRAM.**
- (a) **IN GENERAL.**—Not later than 2 years after the date of the enactment of this title, the Secretary concerned shall carry out a pilot program to enter into partnerships with eligible entities to—
- (1) measure high-priority trails as part of the assessment required under section 212;
  - (2) develop accessible trails under section 214; and
  - (3) make minor modifications to existing trails to enhance recreational experiences for individuals with disabilities using assistive technology—
- (A) in compliance with all applicable land use and management plans of the Federal recreational lands and waters on which the accessible trail is located; and
  - (B) in consultation with stakeholders, including veterans organizations and organizations with expertise or experience providing outdoor recreation opportunities to individuals with disabilities.
- (b) **LOCATIONS.**—

(1) IN GENERAL.—The Secretary concerned shall select no fewer than 5 units or subunits under the jurisdiction of the respective Secretary concerned to carry out the pilot program established under subsection (a).

(2) SPECIAL RULE OF CONSTRUCTION FOR THE DEPARTMENT OF THE INTERIOR.—In selecting the locations of the pilot program, the Secretary shall ensure that the pilot program is carried out in at least one unit managed by the—

- (A) National Park Service;
- (B) Bureau of Land Management; and
- (C) United States Fish and Wildlife Service.

(c) SUNSET.—The pilot program established under this subsection shall terminate on the date that is 7 years after the date of the enactment of this title.

**SEC. 214. [16 U.S.C. 8484] ACCESSIBLE TRAILS.**

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this title, the Secretary concerned shall select a location or locations to develop at least 3 new accessible trails—

(1) on National Forest System lands in each region of the Forest Service;

(2) on land managed by the National Park Service in each region of the National Park Service;

(3) on land managed by the Bureau of Land Management in each region of the Bureau of Land Management; and

(4) on land managed by the United States Fish and Wildlife Service in each region of the United States Fish and Wildlife Service.

(b) DEVELOPMENT.—In developing an accessible trail under subsection (a), the Secretary concerned—

(1) may—

- (A) create a new accessible trail;
- (B) modify an existing trail into an accessible trail; or
- (C) create an accessible trail from a combination of new and existing trails; and

(2) shall—

(A) consult with stakeholders with respect to the feasibility and resources necessary for completing the accessible trail;

(B) ensure the accessible trail complies with the Architectural Barriers Act of 1968 (42 U.S.C. 4151 et seq.) and section 504 of the Rehabilitation Act (29 U.S.C. 794); and

(C) to the extent practicable, ensure that outdoor constructed features supporting the accessible trail, including trail bridges, parking spaces, and restroom facilities, meet the requirements of the Architectural Barriers Act of 1968 (42 U.S.C. 4151 et seq.) and section 504 of the Rehabilitation Act (29 U.S.C. 794).

(c) COMPLETION.—Not later than 7 years after the date of the enactment of this title, the Secretary concerned, in coordination with stakeholders described under subsection (b)(2), shall complete each accessible trail developed under subsection (a).

(d) MAPS, SIGNAGE, AND PROMOTIONAL MATERIALS.—For each accessible trail developed under subsection (a), the Secretary concerned shall—

(1) publish and distribute maps and install signage, consistent with Architectural Barriers Act of 1968 accessibility guidelines and section 508 of the Rehabilitation Act (29 U.S.C. 794d); and

(2) coordinate with stakeholders to leverage any non-Federal resources necessary for the development, stewardship, completion, or promotion of the accessible trail.

(e) CONFLICT AVOIDANCE WITH OTHER USES.—In developing each accessible trail under subsection (a), the Secretary concerned shall ensure that the accessible trail—

(1) minimizes conflict with—

(A) the uses in effect before the date of the enactment of this title with respect to any trail that is part of that accessible trail;

(B) multiple-use areas where biking, hiking, horseback riding, off-highway vehicle recreation, or use by pack and saddle stock are existing uses on the date of the enactment of this title; or

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

(2) complies with all applicable land use and management plans of the Federal recreational lands and waters on which the accessible trail is located.

(f) REPORTS.—

(1) INTERIM REPORT.—Not later than 3 years after the date of the enactment of this title, the Secretary concerned, in coordination with stakeholders and other interested organizations, shall prepare and publish an interim report that lists the accessible trails developed under this section during the previous 3 years.

(2) FINAL REPORT.—Not later than 7 years after the date of the enactment of this title, the Secretary concerned, in coordination with stakeholders and other interested organizations, shall prepare and publish a final report that lists the accessible trails developed under this section.

**SEC. 215. [16 U.S.C. 8485] ACCESSIBLE RECREATION OPPORTUNITIES.**

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this title, the Secretary concerned shall select a location to develop at least 2 new accessible recreation opportunities—

(1) on National Forest System lands in each region of the Forest Service;

(2) on land managed by the National Park Service in each region of the National Park Service;

(3) on land managed by the Bureau of Land Management in each region of the Bureau of Land Management; and

(4) on land managed by the United States Fish and Wildlife Service in each region of the United States Fish and Wildlife Service.

(b) DEVELOPMENT.—In developing an accessible recreation opportunity under subsection (a), the Secretary concerned—

(1) may—

(A) create a new accessible recreation opportunity; or

(B) modify an existing recreation opportunity into an accessible recreation opportunity; and

(2) shall—

(A) consult with stakeholders with respect to the feasibility and resources necessary for completing the accessible recreation opportunity;

(B) ensure the accessible recreation opportunity complies with the Architectural Barriers Act of 1968 (42 U.S.C. 4151 et seq.) and section 504 of the Rehabilitation Act (29 U.S.C. 794); and

(C) to the extent practicable, ensure that outdoor constructed features supporting the accessible recreation opportunity, including trail bridges, parking spaces and restroom facilities, meet the requirements of the Architectural Barriers Act of 1968 and section 504 of the Rehabilitation Act (29 U.S.C. 794).

(c) ACCESSIBLE RECREATION OPPORTUNITIES.—The accessible recreation opportunities developed under subsection (a) may include improving accessibility or access to—

(1) camp shelters, camping facilities, and camping units;

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

(3) snow activities, including skiing and snowboarding;

(4) water activities, including kayaking, paddling, canoeing, and boat launch ramps;

(5) rock climbing;

(6) biking;

(7) off-highway vehicle recreation;

(8) picnic facilities and picnic units;

(9) outdoor constructed features; and

(10) any other new or existing recreation opportunities identified in consultation with stakeholders under subsection (b)(2) and consistent with the applicable land management plan.

(d) COMPLETION.—Not later than 7 years after the date of the enactment of this title, the Secretary concerned, in coordination with stakeholders consulted with under subsection (b)(2), shall complete each accessible recreation opportunity developed under subsection (a).

(e) MAPS, SIGNAGE, AND PROMOTIONAL MATERIALS.—For each accessible recreation opportunity developed under subsection (a), the Secretary concerned shall—

(1) publish and distribute maps and install signage, consistent with Architectural Barriers Act accessibility guidelines and section 508 of the Rehabilitation Act (29 U.S.C. 794d); and

(2) coordinate with stakeholders to leverage any non-Federal resources necessary for the development, stewardship, completion, or promotion of the accessible trail.

(f) CONFLICT AVOIDANCE WITH OTHER USES.—In developing each accessible recreation opportunity under subsection (a), the

Secretary concerned shall ensure that the accessible recreation opportunity—

(1) minimizes conflict with—

(A) the uses in effect before the date of the enactment of this title with respect to any Federal recreational lands and waters on which the accessible recreation opportunity is located; or

(B) multiple-use areas in existence on the date of the enactment of this title; and

(2) complies with all applicable land use and management plans of the Federal recreational lands and waters on which the accessible recreational opportunity is located.

(g) REPORTS.—

(1) INTERIM REPORT.—Not later than 3 years after the date of the enactment of this title, the Secretary concerned, in coordination with stakeholders and other interested organizations, shall prepare and publish an interim report that lists the accessible recreation opportunities developed under this section during the previous 3 years.

(2) FINAL REPORT.—Not later than 7 years after the date of the enactment of this title, the Secretary concerned, in coordination with stakeholders and other interested organizations, shall prepare and publish a final report that lists the accessible recreation opportunities developed under this section.

**SEC. 216. [16 U.S.C. 8486] ASSISTIVE TECHNOLOGY.**

In carrying out this subtitle, the Secretary concerned may enter into partnerships, contracts, or agreements with other Federal, State, Tribal, local, or private entities, including existing outfitting and guiding services, to make assistive technology available on Federal recreational lands and waters.

**SEC. 217. [16 U.S.C. 8487] SAVINGS CLAUSE.**

Nothing in the subtitle shall be construed to create any conflicting standards with the Architectural Barriers Act of 1968 (42 U.S.C. 4151 et seq.) and section 504 of the Rehabilitation Act (29 U.S.C. 794).

## **Subtitle B—Military and Veterans in Parks**

**SEC. 221. [16 U.S.C. 8501] PROMOTION OF OUTDOOR RECREATION FOR MILITARY SERVICEMEMBERS AND VETERANS.**

Not later than 2 years after the date of the enactment of this title, the Secretary concerned, in coordination with the Secretary of Veterans Affairs and the Secretary of Defense, shall develop educational and public awareness materials to disseminate to members of the Armed Forces and veterans, including through preseparation counseling of the Transition Assistance Program under chapter 1142 of title 10, United States Code, on—

(1) opportunities for members of the Armed Forces and veterans to access Federal recreational lands and waters free of charge under section 805 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6804);

(2) the availability and location of accessible trails, including new accessible trails developed and completed under section 214;

(3) the availability and location of accessible recreation opportunities, including new accessible recreation opportunities developed and completed under section 215;

(4) access to, and assistance with, assistive technology;

(5) outdoor-related volunteer and wellness programs;

(6) the benefits of outdoor recreation for physical and mental health;

(7) resources to access guided outdoor trips and other outdoor programs connected to the Department of Defense, the Department of Veterans Affairs, the Department of the Interior, or the Department of Agriculture; and

(8) programs and jobs focused on continuing national service such as Public Land Corps, AmeriCorps, and conservation corps programs.

**SEC. 222. [16 U.S.C. 8502] MILITARY VETERANS OUTDOOR RECREATION LIAISONS.**

(a) **IN GENERAL.**—Not later than 1 year after the date of the enactment of this title, the Secretaries and the Secretary of Veterans Affairs shall each establish within their Departments the position of Military Veterans Outdoor Recreation Liaison.

(b) **DUTIES.**—The Military Veterans Outdoor Recreation Liaison shall—

(1) coordinate the implementation of this subtitle;

(2) implement recommendations identified by the Task Force on Outdoor Recreation for Veterans established under section 203 of the Veterans Comprehensive Prevention, Access to Care, and Treatment Act of 2020 (Public Law 116-214), including recommendations related to—

(A) identifying new opportunities to formalize coordination between the Department of Veterans Affairs, Department of Agriculture, Department of the Interior, and partner organizations regarding the use of Federal recreational lands and waters for facilitating health and wellness for veterans;

(B) addressing identified barriers that exist to providing veterans with opportunities to augment the delivery of services for health and wellness through the use of outdoor recreation on Federal recreational lands and waters; and

(C) facilitating the use of Federal recreational lands and waters for promoting wellness and facilitating the delivery of health care and therapeutic interventions for veterans;

(3) coordinate with Military Veterans Outdoor Recreation Liaisons at other Federal agencies and veterans organizations; and

(4) promote outdoor recreation experiences for veterans on Federal recreational lands and waters through new and innovative approaches.

**SEC. 223. [16 U.S.C. 8503] PARTNERSHIPS TO PROMOTE MILITARY AND VETERAN RECREATION.**

(a) **IN GENERAL.**—The Secretary concerned shall seek to enter into partnerships or agreements with State, Tribal, local, or private entities with expertise in outdoor recreation, volunteer, accessibility, and health and wellness programs for members of the Armed Forces or veterans.

(b) **PARTNERSHIPS.**—As part of a partnership or agreement entered into under subsection (a), the Secretary concerned may host events on Federal recreational lands and waters designed to promote outdoor recreation among members of the Armed Forces and veterans.

(c) **FINANCIAL AND TECHNICAL ASSISTANCE.**—Under a partnership or agreement entered into pursuant to subsection (a), the Secretary concerned may provide financial or technical assistance to the entity with which the respective Secretary concerned has entered into the partnership or agreement to assist with—

(1) the planning, development, and execution of events, activities, or programs designed to promote outdoor recreation for members of the Armed Forces or veterans; or

(2) the acquisition of assistive technology to facilitate improved outdoor recreation opportunities for members of the Armed Forces or veterans.

**SEC. 224. [16 U.S.C. 8504] NATIONAL STRATEGY FOR MILITARY AND VETERAN RECREATION.**

(a) **STRATEGY.**—Not later than 1 year after the date of the enactment of this title, the Federal Interagency Council on Outdoor Recreation established under section 113 shall develop and make public a strategy to increase visits to Federal recreational lands and waters by members of the Armed Forces, veterans, and Gold Star Family members.

(b) **REQUIREMENTS.**—A strategy developed under subsection (a)—

(1) shall—

(A) establish objectives and quantifiable targets for increasing visits to Federal recreational lands and waters by members of the Armed Forces, veterans, and Gold Star Family members;

(B) include an opportunity for public notice and comment;

(C) emphasize increased recreation opportunities on Federal recreational lands and waters for members of the Armed Forces, veterans, and Gold Star Family members; and

(D) provide the anticipated costs to achieve the objectives and meet the targets established under subparagraph (A); and

(2) shall not establish any preference between similar recreation facilitated by noncommercial or commercial entities.

(c) **UPDATE TO STRATEGY.**—Not later than 5 years after the date of the publication of the strategy required under subsection (a), and every 5 years thereafter, the Federal Interagency Council on Outdoor Recreation shall update the strategy and make public the update.



**SEC. 225. RECREATION RESOURCE ADVISORY COMMITTEES.**

Section 804(d) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6803(d)), is amended—

- (1) in paragraph (5)(A), by striking “11” and inserting “12”;
- and
- (2) in paragraph (5)(D)(ii)—
  - (A) by striking “Three” and inserting “Four”; and
  - (B) after subclause (III), by inserting the following:  
“(IV) Veterans organizations, as such term is defined in section 201 of the EXPLORE Act.”; and
- (3) in paragraph (8) by striking “Eight” and inserting “Six”.

**SEC. 226. [16 U.S.C. 8505] CAREER AND VOLUNTEER OPPORTUNITIES FOR VETERANS.**

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

(b) **PILOT PROGRAM.**—

(1) **ESTABLISHMENT.**—The Secretary, in consultation with the Assistant Secretary of Labor for Veterans’ Employment and Training and the Secretary of Veterans Affairs, shall establish a pilot program under which veterans are employed by the Federal Government in positions that relate to the conservation and resource management activities of the Department of the Interior.

(2) **POSITIONS.**—The Secretary shall—

(A) identify vacant positions in the Department of the Interior that are appropriate to fill using the pilot program; and

(B) to the extent practicable, fill such positions using the pilot program.

(3) **APPLICATION OF CIVIL SERVICE LAWS.**—A veteran employed under the pilot program shall be treated as an employee as defined by section 2105 of title 5, United States Code.

(4) **BRIEFINGS AND REPORT.**—

(A) **INITIAL BRIEFING.**—Not later than 60 days after the date of the enactment of this title, the Secretary and the Assistant Secretary of Labor for Veterans’ Employment and Training shall jointly provide to the appropriate congressional committees a briefing on the pilot program under this subsection, which shall include—

(i) a description of how the pilot program will be carried out in a manner to reduce the unemployment of veterans; and

(ii) any recommendations for legislative actions to improve the pilot program.

(B) **IMPLEMENTATION BRIEFING.**—Not later than 1 year after the date on which the pilot program under subsection (a) commences, the Secretary and the Assistant Secretary of Labor for Veterans’ Employment and Training shall jointly provide to the appropriate congressional committees a briefing on the implementation of the pilot program.

(C) **FINAL REPORT.**—Not later than 30 days after the date on which the pilot program under subsection (a) ter-

minates under paragraph (5), the Secretary and the Assistant Secretary of Labor for Veterans' Employment and Training shall jointly submit to the appropriate congressional committees a report on the pilot program that includes the following:

(i) The number of veterans who applied to participate in the pilot program.

(ii) The number of such veterans employed under the pilot program.

(iii) The number of veterans identified in clause (ii) who transitioned to full-time positions with the Federal Government after participating in the pilot program.

(iv) Any other information the Secretary and the Assistant Secretary of Labor for Veterans' Employment and Training determine appropriate with respect to measuring the effectiveness of the pilot program.

(5) DURATION.—The authority to carry out the pilot program under this subsection shall terminate on the date that is 2 years after the date on which the pilot program commences.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Veterans' Affairs and the Committee on Natural Resources of the House of Representatives; and

(2) the Committee on Veterans' Affairs and the Committee on Energy and Natural Resources of the Senate.

(d) OUTDOOR RECREATION PROGRAM ATTENDANCE.—Each Secretary of a military department is encouraged to allow members of the Armed Forces on active duty status to participate in programs related to environmental stewardship or guided outdoor recreation.

## Subtitle C—Youth Access

### SEC. 231. [16 U.S.C. 8521] INCREASING YOUTH RECREATION VISITS TO FEDERAL LAND.

(a) STRATEGY.—Not later than 2 years after the date of the enactment of this title, the Secretaries, acting jointly, shall develop and make public a strategy to increase the number of youth recreation visits to Federal recreational lands and waters.

(b) REQUIREMENTS.—A strategy developed under subsection (a)—

(1) shall—

(A) emphasize increased recreation opportunities on Federal recreational lands and waters for underserved youth;

(B) establish objectives and quantifiable targets for increasing youth recreation visits; and

(C) provide the anticipated costs to achieve the objectives and meet the targets established under subparagraph (B); and

(2) shall not establish any preference between similar recreation facilitated by noncommercial or commercial entities.

(c) **UPDATE TO STRATEGY.**—Not later than 5 years after the date of the publication of the strategy required under subsection (a), and every 5 years thereafter, the Secretaries shall update the strategy and make public the update.

(d) **AGREEMENTS.**—The Secretaries may enter into contracts or cost-share agreements (including contracts or agreements for the acquisition of vehicles) to carry out this section.

**SEC. 232. [16 U.S.C. 6804 note] EVERY KID OUTDOORS ACT EXTENSION.**

Section 9001(b) of the John D. Dingell, Jr. Conservation, Management, and Recreation Act (Public Law 116-9) is amended—

(1) in paragraph (2)(B), by striking “during the period beginning on September 1 and ending on August 31 of the 138 STAT. 2891 following year” and inserting “for a 12-month period that begins on a date determined by the Secretaries”; and

(2) in paragraph (5), by striking “the date that is 7 years after the date of enactment of this Act” and inserting “September 30, 2031”.

## **TITLE III—SIMPLIFYING OUTDOOR ACCESS FOR RECREATION**

**SEC. 301. [16 U.S.C. 8531] DEFINITIONS.**

In this title:

(1) **COMMERCIAL USE AUTHORIZATION.**—The term “commercial use authorization” means a commercial use authorization to provide services to visitors to units of the National Park System under subchapter II of chapter 1019 of title 54, United States Code.

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

(A) uses 2 or more units of Federal recreational lands and waters; and

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

(3) **RECREATION SERVICE PROVIDER.**—The term “recreation service provider” has the meaning given the term in section 802 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6801) (as amended by section 311).

(4) **SPECIAL RECREATION PERMIT.**—The term “special recreation permit” has the meaning given the term in section 802 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6801) (as amended by section 311).

(5) **VISITOR-USE DAY.**—The term “visitor-use day” means a visitor-use day, user day, launch, or other metric used by the Secretary concerned for purposes of authorizing use under a special recreation permit.

## Subtitle A—Modernizing Recreation Permitting

### SEC. 311. SPECIAL RECREATION PERMIT AND FEE.

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

(1) in the matter preceding paragraph (1), by striking “this Act” and inserting “this title”;

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

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

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

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

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

(7) in paragraph (13), by striking “section 3(h)” and inserting “section 803(h)(2)”;

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

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

“(9) RECREATION SERVICE PROVIDER.—The term ‘recreation service provider’ means a person that provides recreational services to the public under a special recreation permit under clause (iii) or (iv) of paragraph (13)(A).”;

(10) by inserting after paragraph (12) the following:

“(13) SPECIAL RECREATION PERMIT.—

“(A) IN GENERAL.—The term ‘special recreation permit’ means a permit issued by a Federal land management agency for the use of Federal recreational lands and waters—

“(i) for a specialized recreational use not described in clause (ii), (iii), or (iv), such as—

“(I) an organizational camp;

“(II) a single event that does not require an entry or participation fee that is not strictly a sharing of expenses for the purposes of the event; and

“(III) participation by the public in a recreation activity or recreation use of a specific area of Federal recreational lands and waters in which use by the public is allocated;

“(ii) for a large-group activity or event of 75 participants or more;

“(iii) for—

“(I) at the discretion of the Secretary, a single organized group recreation activity or event (including an activity or event in which motorized

recreational vehicles are used or in which outfitting and guiding services are used) that—

“(aa) is a structured or scheduled event or activity;

“(bb) is not competitive and is for fewer than 75 participants;

“(cc) may charge an entry or participation fee;

“(dd) involves fewer than 200 visitor-use days; and

“(ee) is undertaken or provided by the recreation service provider at the same site not more frequently than 3 times a year;

“(II) a single competitive event; or

“(III) at the discretion of the Secretary, a recurring organized group recreation activity (including an outfitting and guiding activity) that—

“(aa) is a structured or scheduled activity;

“(bb) is not competitive;

“(cc) may charge a participation fee;

“(dd) occurs in a group size of fewer than 7 participants;

“(ee) involves fewer than 40 visitor-use days; and

“(ff) is undertaken or provided by the recreation service provider for a term of not more than 180 days; or

“(iv) for—

“(I) a recurring outfitting, guiding, or, at the discretion of the Secretary, other recreation service, the authorization for which is for a term of not more than 10 years; or

“(II) a recurring outfitting, guiding, or, at the discretion of the Secretary, other recreation service, that occurs under a temporary special recreation permit authorized under section 316 of the EXPLORE Act.

“(B) EXCLUSIONS.—The term ‘special recreation permit’ does not include—

“(i) a concession contract for the provision of accommodations, facilities, or services;

“(ii) a commercial use authorization issued under section 101925 of title 54, United States Code; or

“(iii) any other type of permit, including a special use permit administered by the National Park Service.”; and

(11) by inserting at the end the following:

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

(b) SPECIAL RECREATION PERMITS AND FEES.—Section 803 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6802) is amended—

(1) by striking “this Act” each place it appears and inserting “this title”;

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

(3) by striking subsection (h) and inserting the following:

“(h) SPECIAL RECREATION PERMITS AND FEES.—

“(1) SPECIAL RECREATION PERMITS.—

“(A) APPLICATIONS.—The Secretary—

“(i) may develop and make available to the public an application to obtain a special recreation permit described in clause (i) of section 802(13)(A); and

“(ii) shall develop and make available to the public an application to obtain a special recreation permit described in each of clauses (ii) through (iv) of section 802(13)(A).

“(B) ISSUANCE OF PERMITS.—On review of a completed application developed under subparagraph (A), as applicable, and a determination by the Secretary that the applicant is eligible for the special recreation permit, the Secretary may issue to the applicant a special recreation permit, subject to any terms and conditions that are determined to be necessary by the Secretary.

“(C) INCIDENTAL SALES.—A special recreation permit issued under this paragraph may include an authorization for sales that are incidental in nature to the permitted use of the Federal recreational lands and waters, except where otherwise prohibited by law.

“(2) SPECIAL RECREATION PERMIT FEES.—

“(A) IN GENERAL.—The Secretary may charge a special recreation permit fee for the issuance of a special recreation permit in accordance with this paragraph.

“(B) PREDETERMINED SPECIAL RECREATION PERMIT FEES.—

“(i) IN GENERAL.—For purposes of subparagraphs (D) and (E) of this paragraph, the Secretary shall establish and may charge a predetermined fee, described in clause (ii) of this subparagraph, for a special recreation permit described in clause (iii) or (iv) of section 802(13)(A) for a specific type of use on a unit of Federal recreational lands and waters, consistent with the criteria set forth in clause (iii) of this subparagraph.

“(ii) TYPE OF FEE.—A predetermined fee described in clause (i) shall be—

“(I) a fixed fee that is assessed per special recreation permit, including a fee with an associated size limitation or other criteria as determined to be appropriate by the Secretary; or

“(II) an amount assessed per visitor-use day.

“(iii) CRITERIA.—A predetermined fee under clause (i) shall—

“(I) have been established before the date of the enactment of the EXPLORE Act;

“(II) be established after the date of the enactment of the EXPLORE Act, in accordance with subsection (b);

“(III)(aa) be established after the date of the enactment of the EXPLORE Act; and

“(bb) be comparable to an amount described in subparagraph (D)(ii) or (E)(ii), as applicable; or

“(IV) beginning on the date that is 2 years after the date of the enactment of the EXPLORE Act, be \$6 per visitor-use day in instances in which the Secretary has not established a predetermined fee under subclause (I), (II), or (III).

“(C) CALCULATION OF FEES FOR SPECIALIZED RECREATIONAL USES AND LARGE-GROUP ACTIVITIES OR EVENTS.—The Secretary may, at the discretion of the Secretary, establish and charge a fee for a special recreation permit described in clause (i) or (ii) of section 802(13)(A).

“(D) CALCULATION OF FEES FOR SINGLE ORGANIZED GROUP RECREATION ACTIVITIES OR EVENTS, COMPETITIVE EVENTS, AND CERTAIN RECURRING ORGANIZED GROUP RECREATION ACTIVITIES.—If the Secretary elects to charge a fee for a special recreation permit described in section 802(13)(A)(iii), the Secretary shall charge the recreation service provider, based on the election of the recreation service provider—

“(i) the applicable predetermined fee established under subparagraph (B); or

“(ii) an amount equal to a percentage of, to be determined by the Secretary, but not to exceed 5 percent of, adjusted gross receipts calculated under subparagraph (F).

“(E) CALCULATION OF FEES FOR TEMPORARY PERMITS AND LONG-TERM PERMITS.—Subject to subparagraph (G), if the Secretary elects to charge a fee for a special recreation permit described in section 802(13)(A)(iv), the Secretary shall charge the recreation service provider, based on the election of the recreation service provider—

“(i) the applicable predetermined fee established under subparagraph (B); or

“(ii) an amount equal to a percentage of, to be determined by the Secretary, but not to exceed 3 percent of, adjusted gross receipts calculated under subparagraph (F).

“(F) ADJUSTED GROSS RECEIPTS.—For the purposes of subparagraphs (D)(ii) and (E)(ii), the Secretary shall calculate the adjusted gross receipts collected for each trip or event authorized under a special recreation permit, using either of the following calculations, based on the election of the recreation service provider:

“(i) The sum of—

“(I) the product obtained by multiplying—

“(aa) the general amount paid by participants of the trip or event to the recreation

service provider for the applicable trip or event (excluding amounts related to goods, souvenirs, merchandise, gear, and additional food provided or sold by the recreation service provider); and

“(bb) the quotient obtained by dividing—

“(AA) the number of days of the trip or event that occurred on Federal recreational lands and waters covered by the special recreation permit, rounded to the nearest whole day; by

“(BB) the total number of days of the trip or event; and

“(II) the amount of any additional revenue received by the recreation service provider for an add-on activity or an optional excursion that occurred on the Federal recreational lands and waters covered by the special recreation permit.

“(ii) The difference between—

“(I) the total cost paid by the participants of the trip or event for the trip or event to the recreation service provider, including any additional revenue received by the recreation service provider for an add-on activity or an optional excursion that occurred on the Federal recreational lands and waters covered by the special recreation permit; and

“(II) the sum of—

“(aa) the amount of any revenues from goods, souvenirs, merchandise, gear, and additional food provided or sold by the recreation service provider to the participants of the applicable trip or event;

“(bb) the amount of any costs or revenues from services and activities provided or sold by the recreation service provider to the participants of the trip or event that occurred in a location other than the Federal recreational lands and waters covered by the special recreation permit (including costs for travel and lodging outside the Federal recreational lands and waters covered by the special recreation permit); and

“(cc) the amount of any revenues from any service provided by a recreation service provider for an activity on Federal recreational lands and waters that is not covered by the special recreation permit.

“(G) EXCEPTION.—Notwithstanding subparagraph (E), the Secretary may charge a recreation service provider a minimum annual fee for a special recreation permit described in section 802(13)(A)(iv).

“(H) SAVINGS CLAUSES.—



“(i) EFFECT.—Nothing in this paragraph affects any fee for—

“(I) a concession contract administered by the National Park Service or the United States Fish and Wildlife Service for the provision of accommodations, facilities, or services; or

“(II) a commercial use authorization or special use permit for use of Federal recreational lands and waters managed by the National Park Service.

“(ii) COST RECOVERY.—Nothing in this paragraph affects the ability of the Secretary to recover any administrative costs under section 320 of the EXPLORE Act.

“(iii) SPECIAL RECREATION PERMIT FEES AND OTHER RECREATION FEES.—The collection of a special recreation permit fee under this paragraph shall not affect the authority of the Secretary to collect an entrance fee, a standard amenity recreation fee, or an expanded amenity recreation fee authorized under subsections (e), (f), and (g).

“(i) DISCLOSURE OF RECREATION FEES AND USE OF RECREATION FEES.—

“(1) NOTICE OF ENTRANCE FEES, STANDARD AMENITY RECREATION FEES, EXPANDED AMENITY RECREATION FEES, AND AVAILABLE RECREATION PASSES.—

“(A) IN GENERAL.—The Secretary shall post clear notice of any entrance fee, standard amenity recreation fee, expanded amenity recreation fee, and available recreation passes—

“(i) at appropriate locations in each unit or area of Federal recreational land and waters at which an entrance fee, standard amenity recreation fee, or expanded amenity recreation fee is charged; and

“(ii) on the appropriate website for such unit or area.

“(B) PUBLICATIONS.—The Secretary shall include in publications distributed at a unit or area or described in subparagraph (A) the notice described in that subparagraph.

“(2) NOTICE OF USES OF RECREATION FEES.—Beginning on January 1, 2026, the Secretary shall annually post, at the location at which a recreation fee described in paragraph (1)(A) is collected, clear notice of—

“(A) the total recreation fees collected during each of the 2 preceding fiscal years at the respective unit or area of the Federal land management agency; and

“(B) each use during the preceding fiscal year of the applicable recreation fee or recreation pass revenues collected under this section.

“(3) NOTICE OF RECREATION FEE PROJECTS.—To the extent practicable, the Secretary shall post clear notice at the location at which work is performed using recreation fee and recreation pass revenues collected under this section.

“(4) CENTRALIZED REPORTING ON AGENCY WEBSITES.—

“(A) IN GENERAL.—Not later than January 1, 2025, and not later than 60 days after the beginning of each fiscal year thereafter, the Secretary shall post on the website of the applicable Federal land management agency a searchable list of each use during the preceding fiscal year of the recreation fee or recreation pass revenues collected under this section.

“(B) LIST COMPONENTS.—The list required under subparagraph (A) shall include, with respect to each use described in that subparagraph—

“(i) a title and description of the overall project;

“(ii) a title and description for each component of the project;

“(iii) the location of the project; and

“(iv) the amount obligated for the project.

“(5) NOTICE TO CUSTOMERS.—A recreation service provider may inform a customer of the recreation service provider of any fee charged by the Secretary under this section.”.

(c) CONFORMING AMENDMENT.—Section 804 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6803) is amended by striking subsection (e).

(d) USE OF SPECIAL RECREATION PERMIT REVENUE.—Section 808 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6807) is amended—

(1) by striking “this Act” each place it appears and inserting “this title”;

(2) in subsection (a)(3)—

(A) in subparagraph (E), by striking “and” at the end;

(B) in subparagraph (F), by striking “6(a) or a visitor reservation service.” and inserting “806(a) or a visitor reservation service;”; and

(C) by adding at the end the following:

“(G) the processing of special recreation permit applications and administration of special recreation permits; and

“(H) the improvement of the operation of the special recreation permit program under section 803(h).”; and

(3) in subsection (d)—

(A) in paragraph (1), by striking “section 5(a)(7)” and inserting “section 805(a)(7)”; and

(B) in paragraph (2), by striking “section 5(d)” and inserting “section 805(d)”.

(e) REAUTHORIZATION.—Section 810 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6809) is amended by striking “2019” and inserting “2031”.

**SEC. 312. [16 U.S.C. 8541] PERMITTING PROCESS IMPROVEMENTS.**

(a) IN GENERAL.—To simplify the process of the issuance and or reissuance of special recreation permits and reduce the cost of administering special recreation permits under section 803(h) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6802) (as amended by this title), the Secretaries shall each—

(1) during the period beginning on January 1, 2021, and ending on January 1, 2025—

(A) evaluate the process for issuing special recreation permits; and

(B) based on the evaluation under subparagraph (A), identify opportunities to—

(i) eliminate duplicative processes with respect to issuing special recreation permits;

(ii) reduce costs for the issuance of special recreation permits;

(iii) decrease processing times for special recreation permits; and

(iv) issue simplified special recreation permits, including special recreation permits for an organized group recreation activity or event under subsection (e); and

(2) not later than 1 year after the date on which the Secretaries complete their respective evaluation and identification processes under paragraph (1), revise, as necessary, relevant agency regulations and guidance documents, including regulations and guidance documents relating to the environmental review process, for special recreation permits to implement the improvements identified under paragraph (1)(B).

(b) ENVIRONMENTAL REVIEWS.—

(1) IN GENERAL.—The Secretary concerned shall, to the maximum extent practicable, utilize available tools, including tiering to existing programmatic reviews, as appropriate, to facilitate an effective and efficient environmental review process for activities undertaken by the Secretary concerned relating to the issuance of special recreation permits.

(2) CATEGORICAL EXCLUSIONS.—Not later than 2 years after the date of the enactment of this title, the Secretary concerned shall—

(A) evaluate whether existing categorical exclusions available to the Secretary concerned on the date of the enactment of this title are consistent with the provisions of this title;

(B) evaluate whether a modification of an existing categorical exclusion or the establishment of 1 or more new categorical exclusions developed in compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) is necessary to undertake an activity described in paragraph (1) in a manner consistent with the authorities and requirements in this title; and

(C) revise relevant agency regulations and policy statements and guidance documents, as necessary, to modify existing categorical exclusions or incorporate new categorical exclusions based on evaluations conducted under this paragraph.

(c) NEEDS ASSESSMENTS.—Except as required under subsection (c) or (d) of section 4 of the Wilderness Act (16 U.S.C. 1133), the Secretary concerned shall not conduct a needs assessment as a condition of issuing a special recreation permit under section 803(h) of

the Federal Lands Recreation Enhancement Act (16 U.S.C. 6802) (as amended by this title).

(d) **ONLINE APPLICATIONS.**—Not later than 3 years after the date of the enactment of this title, the Secretaries shall make the application for a special recreation permit under section 803(h) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6802) (as amended by this title), including a reissuance of a special recreation permit under that section, available for completion and submission—

- (1) online;
- (2) by mail or electronic mail; and
- (3) in person at the field office for the applicable Federal recreational lands and waters.

(e) **SPECIAL RECREATION PERMITS FOR AN ORGANIZED GROUP RECREATION ACTIVITY OR EVENT.**—

(1) **DEFINITIONS.**—In this subsection:

(A) **SPECIAL RECREATION PERMIT FOR AN ORGANIZED GROUP RECREATION ACTIVITY OR EVENT.**—The term “special recreation permit for an organized group recreation activity or event” means a special recreation permit described in subclause (I) or (III) of paragraph (13)(A)(iii) of section 802 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6801) (as amended by this title).

(B) **YOUTH GROUP.**—The term “youth group” means a recreation service provider that predominantly serves individuals not older than 25 years of age.

(2) **EXEMPTION FROM CERTAIN ALLOCATIONS OF USE.**—If the Secretary concerned allocates visitor-use days available for an area or activity on Federal recreational lands and waters among recreation service providers that hold a permit described in paragraph (13)(A)(iv) of section 802 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6801) (as amended by this title), a special recreation permit for an organized group recreation activity or event shall not be subject to that allocation of visitor-use days.

(3) **ISSUANCE.**—In accordance with paragraphs (5) and (6), if use by the general public is not subject to a limited entry permit system and if capacity is available for the times or days in which the proposed activity or event would be undertaken, on request of a recreation service provider (including a youth group) to conduct an organized group recreation activity or event described in subclause (I) or (III) of paragraph (13)(A)(iii) of section 802 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6801) (as amended by this title), the Secretary concerned—

(A) shall make a nominal effects determination to determine whether the proposed activity or event would have more than nominal effects on Federal recreational lands and waters, resources, and programs; and

(B)(i) shall not require a recreation service provider (including a youth group) to obtain a special recreation permit for an organized group recreation activity or event if the Secretary concerned determines—

(I) the proposed activity or event to be undertaken would have only nominal effects on Federal recreational lands and waters, resources, and programs; and

(II) establishing additional terms and conditions for the proposed activity or event is not necessary to protect or avoid conflict on or with Federal recreational lands and waters, resources, and programs;

(ii) in the case of an organized group recreation activity or event described in section 802(13)(A)(iii)(I) of that Act, may issue to a recreation service provider (including a youth group) a special recreation permit for an organized group recreation activity or event, subject to any terms and conditions as are determined to be appropriate by the Secretary concerned, if the Secretary concerned determines—

(I) the proposed activity or event to be undertaken would have only nominal effects on Federal recreational lands and waters, resources, and programs; and

(II) establishing additional terms and conditions for the proposed activity or event is necessary to protect or avoid conflict on or with Federal recreational lands and waters, resources, and programs;

(iii) in the case of an organized group recreation activity or event described in section 802(13)(A)(iii)(III) of that Act, shall issue to a recreation service provider (including a youth group) a special recreation permit for an organized group recreation activity or event, subject to such terms and conditions determined to be appropriate by the Secretary concerned, if the Secretary concerned determines—

(I) the proposed activity or event to be undertaken would have only nominal effects on Federal recreational lands and waters, resources, and programs; and

(II) establishing additional terms and conditions for the proposed activity or event is necessary to protect or avoid conflict on or with Federal recreational lands and waters, resources, and programs; and

(iv) may issue to a recreation service provider (including a youth group) a special recreation permit for an organized group recreation activity or event, subject to any terms and conditions determined to be appropriate by the Secretary concerned, if the Secretary concerned determines—

(I) the proposed activity or event to be undertaken may have more than nominal effects on Federal recreational lands and waters, resources, and programs; and

(II) establishing additional terms and conditions for the proposed activity or event would be necessary to protect or avoid conflict on or with Federal recreational lands and waters, resources, and programs.

(4) FEES.—The Secretary concerned may elect not to charge a fee to a recreation service provider (including a youth group) for a special recreation permit for an organized group recreation activity or event.

(5) SAVINGS CLAUSE.—Nothing in this subsection prevents the Secretary concerned from limiting or abating the allowance of a proposed activity or event under paragraph (3)(B)(i) or the issuance of a special recreation permit for an organized group recreation activity or event, based on resource conditions, administrative burdens, or safety issues.

(6) QUALIFICATIONS.—A special recreation permit for an organized group recreation activity or event issued under paragraph (3) shall be subject to the health and safety standards required by the Secretary concerned for a permit issued under paragraph (13)(A)(iv) of section 802 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6801) (as amended by this title).

**SEC. 313. [16 U.S.C. 8542] PERMIT FLEXIBILITY.**

(a) IN GENERAL.—The Secretary concerned shall establish guidelines to allow a holder of a special recreation permit under subsection (h) of section 803 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6802) (as amended by this title), to engage in another recreational activity under the special recreation permit that is substantially similar to the specific activity authorized under the special recreation permit.

(b) CRITERIA.—For the purposes of this section, a recreational activity shall be considered to be a substantially similar recreational activity if the recreational activity—

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

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

(3) does not adversely affect—

(A) any other holder of a special recreation permit or other permit; or

(B) any other authorized use of the Federal recreational lands and waters; and

(4) is consistent with—

(A) any applicable laws (including regulations); and

(B) the land management plan, resource management plan, or equivalent plan applicable to the Federal recreational lands and waters.

(c) SURRENDER OF UNUSED VISITOR-USE DAYS.—

(1) IN GENERAL.—A recreation service provider holding a special recreation permit described in paragraph (13)(A)(iv) of section 802 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6801) (as amended by this title) may—

(A) notify the Secretary concerned of an inability to use visitor-use days annually allocated to the recreation service provider under the special recreation permit; and

(B) surrender to the Secretary concerned the unused visitor-use days for the applicable year for temporary reassignment under section 318(b).

(2) DETERMINATION.—To ensure a recreation service provider described in paragraph (1) is able to make an informed decision before surrendering any unused visitor-use day under paragraph (1)(B), the Secretary concerned shall, on the request of the applicable recreation service provider, determine and notify the recreation service provider whether the unused visitor-use day meets the requirement described in section 317(b)(3)(B) before the recreation service provider surrenders the unused visitor-use day.

(d) EFFECT.—Nothing in this section affects any authority of, regulation issued by, or decision of the Secretary concerned relating to the use of electric bicycles on Federal recreational lands and waters under any other Federal law.

**SEC. 314. [16 U.S.C. 8543] PERMIT ADMINISTRATION.**

(a) PERMIT AVAILABILITY.—

(1) NOTIFICATIONS OF PERMIT AVAILABILITY.—

(A) IN GENERAL.—Except as provided in subparagraph (B), in an area of Federal recreational lands and waters in which use by recreation service providers is allocated, if the Secretary concerned determines that visitor-use days are available for allocation to recreation service providers or holders of a commercial use authorization for outfitting and guiding, the Secretary concerned shall publish that information on the website of the agency that administers the applicable area of Federal recreational lands and waters.

(B) EFFECT.—Nothing in this paragraph—

(i) applies to—

(I) the reissuance of an existing special recreation permit or commercial use authorization for outfitting and guiding; or

(II) the issuance of a new special recreation permit or new commercial use authorization for outfitting and guiding issued to the purchaser of—

(aa) a recreation service provider that is the holder of an existing special recreation permit; or

(bb) a holder of an existing commercial use authorization for outfitting and guiding; or

(ii) creates a prerequisite to the issuance of a special recreation permit or commercial use authorization for outfitting and guiding or otherwise limits the authority of the Secretary concerned—

(I) to issue a new special recreation permit or new commercial use authorization for outfitting and guiding; or

(II) to add a new or additional use to an existing special recreation permit or an existing commercial use authorization for outfitting and guiding.

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

(3) **ELECTRONIC MAIL NOTIFICATIONS.**—The Secretary concerned shall establish a system by which potential applicants for special recreation permits or commercial use authorizations for outfitting and guiding may subscribe to receive notification by electronic mail of the availability of special recreation permits under section 803(h)(1) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6802) (as amended by this title) or commercial use authorizations for outfitting and guiding.

(b) **PERMIT APPLICATION OR PROPOSAL ACKNOWLEDGMENT.**—Not later than 60 days after the date on which the Secretary concerned receives a completed application or a complete proposal for a special recreation permit under section 803(h)(1) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6802) (as amended by this title), the Secretary concerned shall—

(1) provide to the applicant notice acknowledging receipt of the application or proposal; and

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

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

(c) **EFFECT.**—Nothing in this section applies to a concession contract issued by the National Park Service for the provision of accommodations, facilities, or services.

**SEC. 315. [16 U.S.C. 8544] SERVICE FIRST INITIATIVE; PERMITS FOR MULTIJURISDICTIONAL TRIPS.**

(a) **REPEAL.**—Section 330 of the Department of the Interior and Related Agencies Appropriations Act, 2001 (43 U.S.C. 1703), is repealed.

(b) **COOPERATIVE ACTION AND SHARING OF RESOURCES BY THE SECRETARIES OF THE INTERIOR AND AGRICULTURE.**—

(1) **IN GENERAL.**—For fiscal year 2024, and each fiscal year thereafter, the Secretaries may carry out an initiative, to be known as the “Service First Initiative”, under which the Secretaries, or Federal land management agencies within their departments, may—

(A) establish programs to conduct projects, planning, permitting, leasing, contracting, and other activities, either jointly or on behalf of one another;

(B) co-locate in Federal offices and facilities leased by an agency of the Department of the Interior or the Department of Agriculture; and

(C) issue rules to test the feasibility of issuing unified permits, applications, and leases, subject to the limitations in this section.

(2) **DELEGATIONS OF AUTHORITY.**—The Secretaries may make reciprocal delegations of the respective authorities, du-



ties, and responsibilities of the Secretaries in support of the Service First Initiative agency-wide to promote customer service and efficiency.

(3) EFFECT.—Nothing in this section alters, expands, or limits the applicability of any law (including regulations) to land administered by the Bureau of Land Management, National Park Service, United States Fish and Wildlife Service, or the Forest Service or matters under the jurisdiction of any other bureaus or offices of the Department of the Interior or the Department of Agriculture, as applicable.

(4) TRANSFERS OF FUNDING.—Subject to the availability of appropriations and to facilitate the sharing of resources under the Service First Initiative, the Secretaries are authorized to mutually transfer funds between, or reimburse amounts expended from, appropriate accounts of either Department on an annual basis, including transfers and reimbursements for multiyear projects, except that this authority may not be used in a manner that circumvents requirements or limitations imposed on the use of any of the funds so transferred or reimbursed.

(5) REPORT.—The Secretaries shall submit an annual report to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate describing the activities undertaken as part of the Service First Initiative in the prior year.

(c) PILOT PROGRAM FOR SPECIAL RECREATION PERMITS FOR MULTIJURISDICTIONAL TRIPS.—

(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this title, the Secretaries shall establish a pilot program to offer to a person seeking an authorization for a multijurisdictional trip a set of separate special recreation permits or commercial use authorizations that authorizes the use of each unit of Federal recreational lands and waters on which the multijurisdictional trip occurs, subject to the authorities that apply to the applicable unit of Federal recreational lands and waters.

(2) MINIMUM NUMBER OF PERMITS.—Not later than 4 years after the date of the enactment of this title, the Secretaries shall issue not fewer than 10 sets of separate special recreation permits described in paragraph (13)(A)(iv) of section 802 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6801) (as amended by this title) or commercial use authorizations under the pilot program established under paragraph (1).

(3) LEAD AGENCIES.—In carrying out the pilot program established under paragraph (1), the Secretaries shall—

(A) designate a lead agency for issuing and administering a set of separate special recreation permits or commercial use authorizations; and

(B) select not fewer than 4 offices at which a person shall be able to apply for a set of separate special recreation permits or commercial use authorizations, of which—

(i) not fewer than 2 offices are managed by the Secretary; and

(ii) not fewer than 2 offices are managed by the Secretary of Agriculture, acting through the Chief of the Forest Service.

(4) **RETENTION OF AUTHORITY BY THE APPLICABLE SECRETARY.**—Each of the Secretaries shall retain the authority to enforce the terms, stipulations, conditions, and agreements in a set of separate special recreation permits or commercial use authorizations issued under the pilot program established under paragraph (1) that apply specifically to the use occurring on the Federal recreational lands and waters managed by the applicable Secretary, under the authorities that apply to the applicable Federal recreational lands and waters.

(5) **OPTION TO APPLY FOR SEPARATE SPECIAL RECREATION PERMITS OR COMMERCIAL USE AUTHORIZATIONS.**—A person seeking the appropriate permits or authorizations for a multijurisdictional trip may apply for—

(A) a separate special recreation permit or commercial use authorization for the use of each unit of Federal recreational lands and waters on which the multijurisdictional trip occurs; or

(B) a set of separate special recreational permits or commercial use authorizations made available under the pilot program established under paragraph (1).

(6) **EFFECT.**—Nothing in this subsection applies to a concession contract issued by the National Park Service for the provision of accommodations, facilities, or services.

**SEC. 316. [16 U.S.C. 8545] FOREST SERVICE AND BUREAU OF LAND MANAGEMENT TEMPORARY SPECIAL RECREATION PERMITS FOR OUTFITTING AND GUIDING.**

(a) **IN GENERAL.**—Not later than 180 days after the date of enactment of this title, the Secretary concerned shall establish and implement a program to authorize the issuance of temporary special recreation permits for new or additional recreational uses of Federal recreational land and water managed by the Forest Service and the Bureau of Land Management.

(b) **TERM OF TEMPORARY PERMITS.**—A temporary special recreation permit issued under paragraph (1) shall be issued for a period of not more than 2 years.

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

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

**SEC. 317. [16 U.S.C. 8546] REVIEWS FOR LONG-TERM PERMITS.**

(a) **MONITORING.**—The Secretary concerned shall monitor each recreation service provider issued a special recreation permit for compliance with the terms of the permit—

(1) not less than annually or as frequently as needed (as determined by the Secretary concerned), in the case of a temporary special recreation permit for outfitting and guiding issued under section 316; and

(2) not less than once every 2 years or as frequently as needed (as determined by the Secretary concerned), in the case of a special recreation permit described in paragraph (13)(A)(iv)(I) of section 802 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6801) (as amended by this title) that is issued for a term of not more than 10 years.

(b) USE-OF-ALLOCATION REVIEWS.—

(1) IN GENERAL.—If the Secretary of Agriculture, acting through the Chief of the Forest Service, or the Secretary, as applicable, allocates visitor-use days among special recreation permits for outfitting and guiding, the Secretary of Agriculture, acting through the Chief of the Forest Service, shall, and the Secretary may, review the use by the recreation service provider of the visitor-use days allocated under a long-term special recreation permit described in paragraph (13)(A)(iv)(I) of section 802 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6801) (as amended by this title), once every 5 years.

(2) REQUIREMENTS OF THE REVIEW.—In conducting a review under paragraph (1), the Secretary concerned shall determine—

(A) the number of visitor-use days that the recreation service provider used each year under the special recreation permit, in accordance with paragraph (3); and

(B) the year in which the recreation service provider used the most visitor-use days under the special recreation permit.

(3) CONSIDERATION OF SURRENDERED, UNUSED VISITOR-USE DAYS.—For the purposes of determining the number of visitor-use days a recreation service provider used in a specified year under paragraph (2)(A), the Secretary of Agriculture, acting through the Chief of the Forest Service, and the Secretary, as applicable, shall consider an unused visitor-use day that has been surrendered under section 313(c)(1)(B) as—

(A) 1/2 of a visitor-use day used; or

(B) 1 visitor-use day used, if the Secretary concerned determines the use of the allocated visitor-use day had been or will be prevented by a circumstance beyond the control of the recreation service provider.

**SEC. 318. [16 U.S.C. 8547] ADJUSTMENT OF ALLOCATED VISITOR-USE DAYS.**

(a) ADJUSTMENTS FOLLOWING USE OF ALLOCATION REVIEWS.—On the completion of a use-of-allocation review conducted under section 317(b) for a special recreation permit described in paragraph (13)(A)(iv)(I) of section 802 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6801) (as amended by this title), the Secretary of Agriculture, acting through the Chief of the Forest Service, or the Secretary, as applicable, shall adjust the number of visitor-use days allocated to a recreation service provider under the special recreation permit as follows:

(1) If the Secretary concerned determines that the performance of the recreation service provider was satisfactory during the most recent review conducted under subsection (a) of section 317, the annual number of visitor-use days allocated for each remaining year of the permit shall be equal to 125 percent of the number of visitor-use days used, as determined under subsection (b)(2)(A) of that section, during the year identified under subsection (b)(2)(B) of that section, not to exceed the level allocated to the recreation service provider on the date on which the special recreation permit was issued.

(2) If the Secretary concerned determines the performance of the recreation service provider is less than satisfactory during the most recent performance review conducted under subsection (a) of section 317, the annual number of visitor-use days allocated for each remaining year of the special recreation permit shall be equal to not more than 100 percent of the number of visitor-use days used, as determined under subsection (b)(2)(A) of that section during the year identified under subsection (b)(2)(B) of that section.

(b) TEMPORARY REASSIGNMENT OF UNUSED VISITOR-USE DAYS.—The Secretary concerned may temporarily assign unused visitor-use days, made available under section 313(c)(1)(B), to—

(1) any other existing or potential recreation service provider, notwithstanding the number of visitor-use days allocated to the special recreation permit holder under the special recreation permit held or to be held by the recreation service provider; or

(2) any existing or potential holder of a special recreation permit described in clause (i) or (iii) of paragraph (13)(A) of section 802 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6801) (as amended by this title), including the public.

(c) ADDITIONAL CAPACITY.—If unallocated visitor-use days are available, the Secretary concerned may, at any time, amend a special recreation permit to allocate additional visitor-use days to a qualified recreation service provider.

**SEC. 319. [16 U.S.C. 8548] LIABILITY.**

(a) INSURANCE REQUIREMENTS.—

(1) IN GENERAL.—Except as provided in paragraph (2), as a condition of issuing a special recreation permit under subsection (h)(1)(B) of section 803 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6802) (as amended by this title) or a commercial use authorization, the Secretary concerned may require the holder of the special recreation permit or commercial use authorization to have a commercial general liability insurance policy that—

(A) is commensurate with the level of risk of the activities to be conducted under the special recreation permit or commercial use authorization; and

(B) includes the United States as an additional insured in an endorsement to the applicable policy.

(2) EXCEPTION.—The Secretary concerned shall not require a holder of a special recreation permit or commercial use au-

thorization for low-risk activities, as determined by the Secretary concerned, including commemorative ceremonies and participation by the public in a recreation activity or recreation use of a specific area of Federal recreational lands and waters in which use by the public is allocated, to comply with the requirements of paragraph (1).

(b) INDEMNIFICATION BY GOVERNMENTAL ENTITIES.—The Secretary concerned shall not require a State, State agency, State institution, or political subdivision of a State to indemnify the United States for tort liability as a condition for issuing a special recreation permit or commercial use authorization to the extent the State, State agency, State institution, or political subdivision of a State is precluded by State law from providing indemnification to the United States for tort liability, if the State, State agency, State institution, or political subdivision of the State maintains the minimum amount of liability insurance coverage required by the Federal land management agency for the activities conducted under the special recreation permit or commercial use authorization in the form of—

(1) a commercial general liability insurance policy, which includes the United States as an additional insured in an endorsement to the policy, if the State is authorized to obtain commercial general liability insurance by State law;

(2) self-insurance, which covers the United States as an additional insured, if authorized by State law; or

(3) a combination of the coverage described in paragraphs (1) and (2).

(c) EXCULPATORY AGREEMENTS.—

(1) IN GENERAL.—Except as provided in paragraph (2), a Federal land management agency shall not implement, administer, or enforce any regulation, guidance, or policy prohibiting the use of an exculpatory agreement between a recreation service provider or a holder of a commercial use authorization and a customer relating to services provided under a special recreation permit or a commercial use authorization.

(2) REQUIREMENTS.—Any exculpatory agreement used by a recreation service provider or holder of a commercial use authorization for an activity authorized under a special recreation permit or commercial use authorization—

(A) shall shield the United States from any liability, if otherwise allowable under Federal law; and

(B) shall not waive any liability of the recreation service provider or holder of the commercial use authorization that may not be waived under the laws (including common law) of the applicable State or for gross negligence, recklessness, or willful misconduct.

(3) CONSISTENCY.—Not later than 2 years after the date of the enactment of this title, the Secretaries shall—

(A) review the policies of the Secretaries pertaining to the use of exculpatory agreements by recreation service providers and holders of commercial use authorizations; and

(B) revise any policy described in subparagraph (A) as necessary to make the policies of the Secretaries per-

taining to the use of exculpatory agreements by recreation service providers and holders of commercial use authorizations consistent with this subsection and across all Federal recreational lands and waters.

(d) EFFECT.—Nothing in this section applies to a concession contract issued by the National Park Service for the provision of accommodations, facilities, or services.

**SEC. 320. [16 U.S.C. 8549] COST RECOVERY REFORM.**

(a) COST RECOVERY FOR SPECIAL RECREATION PERMITS.—In addition to a fee collected under section 803 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6802) or any other authorized fee collected by the Secretary concerned, the Secretary concerned may assess and collect a reasonable fee from an applicant for, or holder of, a special recreation permit to recover administrative costs incurred by the Secretary concerned for—

- (1) processing a proposal or application for the special recreation permit;
- (2) issuing the special recreation permit; and
- (3) monitoring the special recreation permit to ensure compliance with the terms and conditions of the special recreation permit.

(b) DE MINIMIS EXEMPTION FROM COST RECOVERY.—If the administrative costs described in subsection (a) are assessed on an hourly basis, the Secretary concerned shall—

- (1) establish an hourly de minimis threshold that exempts a specified number of hours from the assessment and collection of administrative costs described in subsection (a); and
- (2) charge an applicant only for any hours that exceed the de minimis threshold.

(c) MULTIPLE APPLICATIONS.—If the Secretary concerned collectively processes multiple applications for special recreation permits for the same or similar services in the same unit of Federal recreational lands and waters, the Secretary concerned shall, to the extent practicable—

- (1) assess from the applicants the fee described in subsection (a) on a prorated basis; and
- (2) apply the exemption described in subsection (b) to each applicant on an individual basis.

(d) LIMITATION.—The Secretary concerned shall not assess or collect administrative costs under this section for a programmatic environmental review.

(e) COST REDUCTION.—To the maximum extent practicable, the agency processing an application for a special recreation permit shall use existing studies and analysis to reduce the quantity of work and costs necessary to process the application.

**SEC. 321. AVAILABILITY OF FEDERAL, STATE, AND LOCAL RECREATION PASSES.**

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

**“SEC. 805A. [16 U.S.C. 6804a] AVAILABILITY OF FEDERAL, STATE, AND LOCAL RECREATION PASSES**

**“(a) ESTABLISHMENT OF PROGRAM.—**

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

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

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

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

“(b) AGREEMENTS WITH STATES AND COUNTIES.—

“(1) IN GENERAL.—The Secretaries, after consultation with the States and counties, may enter into agreements with States and counties to coordinate the availability of passes as described in subsection (a).

“(2) REVENUE FROM PASS SALES.—Agreements between the Secretaries, States, and counties entered into pursuant to this section shall ensure that—

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

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

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

(b) CLERICAL AMENDMENT.—The table of contents for the Federal Lands Recreation Enhancement Act is amended by inserting after the item relating to section 805 the following:

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

**SEC. 322. ONLINE PURCHASES AND ESTABLISHMENT OF A DIGITAL VERSION OF AMERICA THE BEAUTIFUL—THE NATIONAL PARKS AND FEDERAL RECREATIONAL LANDS PASSES.**

(a) ONLINE PURCHASES OF AMERICA THE BEAUTIFUL—THE NATIONAL PARKS AND FEDERAL RECREATIONAL LANDS PASS.—Section 805(a)(6) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6804(a)(6)) is amended by striking subparagraph (A) and inserting the following:

“(A) IN GENERAL.—The Secretaries shall sell or otherwise make available the National Parks and Federal Recreational Lands Pass—

“(i) at all Federal recreational lands and waters at which—

“(I) an entrance fee or a standard amenity recreation fee is charged; and

“(II) such sales or distribution of the Pass is feasible;

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

“(iii) through a prominent link to a centralized pass sale system on the website of each of the Federal land management agencies and the websites of the relevant units and subunits of those agencies, which shall include information about where and when a National Parks and Federal Recreational Lands Pass may be used.”.

(b) **DIGITAL VERSION OF THE AMERICA THE BEAUTIFUL.**—Section 805(a) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6804(a)) is amended by adding at the end the following:

“(10) **DIGITAL RECREATION PASSES.**—Not later than January 1, 2026, the Secretaries shall—

“(A) establish a digital version of the National Parks and Federal Recreational Lands Pass that is able to be stored on a mobile device, including with respect to free and discounted passes; and

“(B) upon completion of a transaction for a National Parks and Federal Recreational Lands Pass, make immediately available to the passholder a digital version of the National Parks and Federal Recreational Lands Pass established under subparagraph (A).”.

(c) **ENTRANCE PASS AND AMENITY FEES.**—Section 803 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6802) (as amended by this title) is amended by adding at the end the following:

“(j) **ONLINE PAYMENTS.**—

“(1) **IN GENERAL.**—In addition to providing onsite payment methods, the Secretaries may collect payment online for—

“(A) entrance fees under subsection (e);

“(B) standard amenity recreation fees under subsection (f);

“(C) expanded amenity recreation fees under subsection (g); and

“(D) special recreation permit fees.

“(2) **DISTRIBUTION OF ONLINE PAYMENTS.**—An online payment collected under paragraph (1) that is associated with a specific unit or area of a Federal land management agency shall be distributed in accordance with section 805(c).”.

**SEC. 323. [16 U.S.C. 8550] SAVINGS PROVISION.**

Nothing in this subtitle, or in any amendment made by this subtitle, shall be construed as affecting the authority or responsibility of the Secretary of the Interior to award concessions contracts for the provision of accommodations, facilities, and services, or commercial use authorizations to provide services, to visitors to U.S. Fish and Wildlife Service refuges or units of the National Park System pursuant to subchapter II of chapter 1019 of title 54, United States Code (formerly known as the “National Park Service Concessions Management Improvement Act of 1998”), except that sections 314(a), 315, 319(a), 319(b), and 319(c) of this subtitle shall also apply to commercial use authorizations under that Act.



## Subtitle B—Making Recreation a Priority

### SEC. 331. [16 U.S.C. 8561] EXTENSION OF SEASONAL RECREATION OPPORTUNITIES.

(a) **DEFINITION OF SEASONAL CLOSURE.**—In this section, the term “seasonal closure” means any period during which—

(1) a unit, or portion of a unit, of Federal recreational lands and waters is closed to the public for a continuous period of 30 days or more, excluding temporary closures relating to wildlife conservation or public safety; and

(2) permitted or allowable recreational activities, which provide an economic benefit, including off-season or winter-season tourism, do not take place at the unit, or portion of a unit, of Federal recreational lands and waters.

(b) **COORDINATION.**—

(1) **IN GENERAL.**—The Secretaries shall consult and coordinate with outdoor recreation-related businesses operating on, or adjacent to, a unit of Federal recreational lands and waters, State offices of outdoor recreation, local destination marketing organizations, applicable trade organizations, nonprofit organizations, Indian Tribes, local governments, and institutions of higher education—

(A) to better understand—

(i) trends with respect to visitors to the unit of Federal recreational lands and waters;

(ii) the effect of seasonal closures on areas of, or infrastructure on, units of Federal recreational lands and waters on outdoor recreation opportunities, adjacent businesses, and local tax revenue; and

(iii) opportunities to extend the period of time during which areas of, or infrastructure on, units of Federal recreational lands and waters are open to the public to increase outdoor recreation opportunities and associated revenues for businesses and local governments; and

(B) to solicit input from, and provide information for, outdoor recreation marketing campaigns.

(2) **LOCAL COORDINATION.**—As part of the consultation and coordination required under subparagraph (1), the Secretaries shall encourage relevant unit managers of Federal recreational lands and waters managed by the Forest Service, the Bureau of Land Management, and the National Park Service to consult and coordinate with local governments, Indian Tribes, outdoor recreation-related businesses, and other local stakeholders operating on or adjacent to the relevant unit of Federal recreational lands and waters.

(d) **EXTENSIONS BEYOND SEASONAL CLOSURES.**—

(1) **EXTENSION OF RECREATIONAL SEASON.**—In the case of a unit of Federal recreational lands and waters managed by the Forest Service, the Bureau of Land Management, or the National Park Service in which recreational use is highly seasonal, the Secretary concerned, acting through the relevant unit manager, may—

- (A) as appropriate, extend the recreation season or increase recreation use in a sustainable manner during the offseason; and
- (B) make information about extended season schedules and related recreational opportunities available to the public and local communities.
- (2) DETERMINATION.—In determining whether to extend the recreation season under this subsection, the Secretary concerned, acting through the relevant unit manager, shall consider the benefits of extending the recreation season—
  - (A) for the duration of income to gateway communities; and
  - (B) to provide more opportunities to visit resources on units of Federal recreational lands and waters to reduce crowding during peak visitation.
- (3) CLARIFICATION.—Nothing in this subsection precludes the Secretary concerned, acting through the relevant unit manager, from providing for additional recreational opportunities and uses at times other than those described in this subsection.
- (4) INCLUSIONS.—An extension of a recreation season or an increase in recreation use during the offseason under paragraph (1) may include—
  - (A) the addition of facilities that would increase recreation use during the offseason; and
  - (B) improvement of access to the relevant unit to extend the recreation season.
- (5) REQUIREMENT.—An extension of a recreation season or increase in recreation use during the offseason under paragraph (1) shall be done in compliance with all applicable Federal laws, regulations, and policies, including land use plans.
- (6) AGREEMENTS.—
  - (A) IN GENERAL.—The Secretary concerned may enter into agreements with businesses, local governments, or other entities to share the cost of additional expenses necessary to extend the period of time during which an area of, or infrastructure on, a unit of Federal recreational lands and waters is made open to the public.
  - (B) IN-KIND CONTRIBUTIONS.—The Secretary concerned may accept in-kind contributions of goods and services provided by businesses, local governments, or other entities for purposes of paragraph (1).

## Subtitle C—Maintenance of Public Land

### SEC. 341. [16 U.S.C. 558a] VOLUNTEERS IN THE NATIONAL FORESTS AND PUBLIC LANDS ACT.

The Volunteers in the National Forests Act of 1972 (16 U.S.C. 558a et seq.) is amended to read as follows:

#### “SEC. 1. [16 U.S.C. 558a note] SHORT TITLE

“This Act may be cited as the ‘Volunteers in the National Forests and Public Lands Act’.

**“SEC. 2. [16 U.S.C. 558a] PURPOSE**

“The purpose of this Act is to leverage volunteer engagement to supplement projects that are carried out by the Secretaries to fulfill the missions of the Forest Service and the Bureau of Land Management and are accomplished with appropriated funds.

**“SEC. 3. [16 U.S.C. 558b] DEFINITION OF SECRETARIES**

“In this Act, the term ‘Secretaries’ means each of—

“(1) the Secretary of Agriculture, acting through the Chief of the Forest Service; and

“(2) the Secretary of the Interior, acting through the Director of the Bureau of Land Management.

**“SEC. 4. [16 U.S.C. 558c] AUTHORIZATION**

“The Secretaries are authorized to recruit, train, and accept without regard to the civil service and classification laws, rules, or regulations the services of individuals without compensation as volunteers for or in aid of recreation access, trail construction or maintenance, facility construction or maintenance, educational uses (including outdoor classroom construction or maintenance), interpretive functions, visitor services, conservation measures and development, or other activities in and related to areas administered by the Secretaries. In carrying out this section, the Secretaries shall consider referrals of prospective volunteers made by the Corporation for National and Community Service.

**“SEC. 5. [16 U.S.C. 558d] INCIDENTAL EXPENSES**

“The Secretaries are authorized to provide for incidental expenses, such as transportation, uniforms, lodging, training, equipment, and subsistence.

**“SEC. 6. [16 U.S.C. 558e] CONSIDERATION AS FEDERAL EMPLOYEE**

“(a) Except as otherwise provided in this section, a volunteer shall not be deemed a Federal employee and shall not be subject to the provisions of law relating to Federal employment, including those relating to hours of work, rates of compensation, leave, unemployment compensation, and Federal employee benefits.

“(b) For the purpose of the tort claim provisions of title 28, United States Code, a volunteer under this Act shall be considered a Federal employee.

“(c) For the purposes of subchapter I of chapter 81 of title 5, United States Code, relating to compensation to Federal employees for work injuries, volunteers under this Act shall be deemed civil employees of the United States within the meaning of the term ‘employee’ as defined in section 8101 of title 5, United States Code, and the provisions of that subchapter shall apply.

“(d) For the purposes of claims relating to damage to, or loss of, personal property of a volunteer incident to volunteer service, a volunteer under this Act shall be considered a Federal employee, and the provisions of section 3721 of title 31, United States Code, shall apply.

“(e) For the purposes of subsections (b), (c), and (d), the term ‘volunteer’ includes a person providing volunteer services to either of the Secretaries who—

“(1) is recruited, trained, and supported by a cooperator under a mutual benefit agreement or cooperative agreement with either of the Secretaries; and

“(2) performs such volunteer services under the supervision of the cooperator as directed by either of the Secretaries in the mutual benefit agreement or cooperative agreement in the mutual benefit agreement, including direction that specifies—

“(A) the volunteer services, including the geographic boundaries of the work to be performed by the volunteers, and the supervision to be provided by the cooperator;

“(B) the applicable project safety standards and protocols to be adhered to by the volunteers and enforced by the cooperator;

“(C) the on-site visits to be made by either of the Secretaries, if feasible and only if necessary to verify that volunteers are performing the volunteer services and the cooperator is providing the supervision agreed upon;

“(D) the equipment the volunteers are authorized to use;

“(E) the training the volunteers are required to complete;

“(F) the actions the volunteers are authorized to take; and

“(G) any other terms and conditions that are determined to be necessary by the applicable Secretary.

**“SEC. 7. [16 U.S.C. 558f] PROMOTION OF VOLUNTEER OPPORTUNITIES**

“The Secretaries shall promote volunteer opportunities in areas administered by the Secretaries.

**“SEC. 8. [16 U.S.C. 558g] LIABILITY INSURANCE**

“The Secretaries shall not require a cooperator or volunteer (as those terms are used in section 6) to have liability insurance to provide the volunteer services authorized under this Act.”.

**SEC. 342. [16 U.S.C. 558a note] REFERENCE.**

Any reference to the Volunteers in the National Forests Act of 1972 in any law, regulation, map, document, record, or other paper of the United States shall be deemed to be a reference to the Volunteers in the National Forests and Public Land Act.

## **Subtitle D—Recreation Not Red Tape**

**SEC. 351. [16 U.S.C. 8571] GOOD NEIGHBOR AUTHORITY FOR RECREATION.**

(a) DEFINITIONS.—In this section:

(1) AUTHORIZED RECREATION SERVICES.—The term “authorized recreation services” means similar and complementary recreation enhancement or improvement services carried out—

(A) on Federal land, non-Federal land, or land owned by an Indian Tribe; and

(B) by either the Secretary or a Governor, Indian Tribe, or county, as applicable, pursuant to a good neighbor agreement.

- (2) COUNTY.—The term “county” means—
- (A) the appropriate executive official of an affected county; or
  - (B) in any case in which multiple counties are affected, the appropriate executive official of a compact of the affected counties.
- (3) FEDERAL LAND.—The term “Federal land” means land that is—
- (A) owned and administered by the United States as a part of—
    - (i) the National Forest System; or
    - (ii) the National Park System; or
  - (B) public lands (as defined in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702)).
- (4) RECREATION ENHANCEMENT OR IMPROVEMENT SERVICES.—The term “recreation enhancement or improvement services” means—
- (A) establishing, repairing, restoring, improving, relocating, constructing, or reconstructing new or existing—
    - (i) trails or trailheads;
    - (ii) campgrounds and camping areas;
    - (iii) cabins;
    - (iv) picnic areas or other day use areas;
    - (v) shooting ranges;
    - (vi) restroom or shower facilities;
    - (vii) paved or permanent roads or parking areas that serve existing recreation facilities or areas;
    - (viii) fishing piers, wildlife viewing platforms, docks, or other constructed features at a recreation site;
    - (ix) boat landings;
    - (x) hunting or fishing sites;
    - (xi) infrastructure within ski areas; or
    - (xii) visitor centers or other interpretative sites;
  - and
  - (B) activities that create, improve, or restore access to existing recreation facilities or areas.
- (5) GOOD NEIGHBOR AGREEMENT.—The term “good neighbor agreement” means a cooperative agreement or contract (including a sole source contract) entered into between the Secretary and a Governor, Indian Tribe, or county, as applicable, to carry out authorized recreation services under this title.
- (6) GOVERNOR.—The term “Governor” means the Governor or any other appropriate executive official of an affected State or the Commonwealth of Puerto Rico.
- (7) SECRETARY CONCERNED.—The term “Secretary concerned” means—
- (A) the Secretary of Agriculture, with respect to National Forest System land; and
  - (B) the Secretary of the Interior, with respect to National Park System land and public lands.
- (b) GOOD NEIGHBOR AGREEMENTS FOR RECREATION.—

(1) IN GENERAL.—The Secretary concerned may enter into a good neighbor agreement with a Governor, Indian Tribe, or county to carry out authorized recreation services in accordance with this title.

(2) PUBLIC AVAILABILITY.—The Secretary concerned shall make each good neighbor agreement available to the public.

(3) FINANCIAL AND TECHNICAL ASSISTANCE.—

(A) IN GENERAL.—The Secretary concerned may provide financial or technical assistance to a Governor, Indian Tribe, or county carrying out authorized recreation services.

(B) ADDITIONAL TREATMENTS OF REVENUE.—Section 8206(b)(2)(C) of the Agricultural Act of 2014 (16 U.S.C. 2113a(b)(2)(C)) is amended to read as follows:

“(C) TREATMENT OF REVENUE.—

“(i) IN GENERAL.—Funds received from the sale of timber by a Governor, Indian Tribe, or county under a good neighbor agreement shall be retained and used by the Governor, Indian Tribe, or county, as applicable—

“(I) to carry out authorized restoration services on under the good neighbor agreement; and

“(II) if there are funds remaining after carrying out clause (i), to carry out—

“(aa) authorized restoration services under other good neighbor agreements; or

“(bb) authorized recreation services under the Good Neighbor Authority for Recreation Act.

“(ii) TERMINATION OF EFFECTIVENESS.—The authority provided under this subparagraph terminates effective October 1, 2028.”.

(4) RETENTION OF NEPA RESPONSIBILITIES.—Any decision required to be made under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to any authorized recreation services to be provided under this section on Federal land shall not be delegated to a Governor, Indian Tribe, or county.

**SEC. 352. [16 U.S.C. 8572] PERMIT RELIEF FOR PICNIC AREAS.**

(a) IN GENERAL.—If the Secretary concerned does not require the public to obtain a permit or reservation to access a picnic area on Federal recreational lands and waters administered by the Forest Service or the Bureau of Land Management, the Secretary concerned shall not require a covered person to obtain a permit solely to access the picnic area.

(b) COVERED PERSON DEFINED.—In this section, the term “covered person” means a person (including an educational group) that provides outfitting and guiding services to fewer than 40 customers per year at a picnic area described in subsection (a).

**SEC. 353. [16 U.S.C. 8573] INTERAGENCY REPORT ON SPECIAL RECREATION PERMITS FOR UNDERSERVED COMMUNITIES.**

(a) **COVERED COMMUNITY DEFINED.**—In this section, the term “covered community” means a rural or urban community, including an Indian Tribe, that is—

- (1) low-income or underserved; and
- (2) has been underrepresented in outdoor recreation opportunities on Federal recreational lands and waters.

(b) **REPORT.**—Not later than 3 years after the date of the enactment of this title, the Secretaries, acting jointly, shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report that describes—

- (1) the estimated use of special recreation permits serving covered communities;
- (2) examples of special recreation permits, partnerships, cooperative agreements, or other arrangements providing access to Federal recreational lands and waters for covered communities;
- (3) other ways covered communities are engaging on Federal recreational lands and waters, including through stewardship and conservation projects or activities;
- (4) any barriers for existing or prospective recreation service providers and holders of commercial use authorizations operating within or serving a covered community; and
- (5) any recommendations to facilitate and increase permitted access to Federal recreational lands and waters for covered communities.

**SEC. 354. MODERNIZING ACCESS TO OUR PUBLIC LAND ACT AMENDMENTS.**

The Modernizing Access to Our Public Land Act (16 U.S.C. 6851 et seq.) is amended—

- (1) in section 3(1) (16 U.S.C. 6852(1)), by striking “public outdoor recreational use” and inserting “recreation sites”;
- (2) in section 5(a)(4) (16 U.S.C. 6854(a)(4)), by striking “permanently restricted or prohibited” and inserting “regulated or closed”; and
- (3) in section 6(b) (16 U.S.C. 6855(b))—
  - (A) by striking “may” and inserting “shall”; and
  - (B) by striking “the Secretary of the Interior” and inserting “the Secretaries”.

**SEC. 355. [16 U.S.C. 8574] SAVINGS PROVISION.**

No additional Federal funds are authorized to carry out the requirements of this Act and the activities authorized by this Act are subject to the availability of appropriations made in advance for such purposes.