

## HR 6492

### EXPLORE Act

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### Sponsor

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**Party:** Republican • **State:** AR • **Chamber:** House

## Cosponsors (51 total)

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Del. Sablan, Gregorio Kilili Camacho [D-MP-At Large]	D · MP		Nov 29, 2023
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Rep. Edwards, Chuck [R-NC-11]	R · NC		Jan 9, 2024
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Rep. Banks, Jim [R-IN-3]	R · IN		Jan 29, 2024
Rep. Lieu, Ted [D-CA-36]	D · CA		Jan 29, 2024

Cosponsor	Party / State	Role	Date Joined
Rep. Kean, Thomas H. [R-NJ-7]	R · NJ		Feb 5, 2024
Rep. Yakym, Rudy [R-IN-2]	R · IN		Feb 13, 2024
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Rep. Costa, Jim [D-CA-21]	D · CA		Mar 29, 2024
Rep. Vasquez, Gabe [D-NM-2]	D · NM		Mar 29, 2024

## Committee Activity

Committee	Chamber	Activity	Date
Agriculture Committee	House	Referred to	Jan 24, 2024
Natural Resources Committee	House	Discharged from	Jan 17, 2024
Veterans' Affairs Committee	House	Discharged From	Apr 5, 2024

## Subjects & Policy Tags

### Policy Area:

Public Lands and Natural Resources

## Related Bills

Bill	Relationship	Last Action
118 S 2018	Related bill	Dec 19, 2024: Held at the desk.
118 HR 6342	Related bill	Dec 18, 2024: Placed on the Union Calendar, Calendar No. 744.
118 HR 3448	Related bill	Nov 21, 2024: Placed on Senate Legislative Calendar under General Orders. Calendar No. 647.
118 S 3568	Related bill	May 15, 2024: Committee on Energy and Natural Resources Subcommittee on National Parks. Hearings held.
118 HR 5919	Related bill	Oct 25, 2023: Referred to the House Committee on Natural Resources.
118 HR 3107	Related bill	Sep 19, 2023: Subcommittee Hearings Held
118 HR 1614	Related bill	Apr 19, 2023: Referred to the Subcommittee on Forestry.
118 HR 1576	Related bill	Apr 5, 2023: Referred to the Subcommittee on Forestry.

## **Expanding Public Lands Outdoor Recreation Experiences Act or the EXPLORE Act**

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

#### **Subtitle A--Outdoor Recreation Policy**

(Sec. 111) This section 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) This section directs the Department of the Interior and the Forest Service to

- inventory and assess recreation resources for federal recreational lands and waters,
- develop the inventory and assessment with support from public comment, and
- update the inventory and assessment when appropriate.

The inventory and assessments must recognize any unique recreation values and opportunities and areas of concentrated recreational use. Additionally, the inventory and assessments must identify, list, and map recreation resources by

- type of recreation opportunity and type of natural or artificial recreation infrastructure,
- the level of use of the recreation resource as of the date of the inventory, and
- any trends relating to recreation opportunities or use at a recreation resource.

For each recreational resource inventoried, Interior and the Forest Service must assess (1) the maintenance needs of, and expenses necessary to administer, the recreation resource; (2) the suitability for developing, expanding, or enhancing such recreation resource; and (3) the adequacy of the current management of the recreation resource.

(Sec 113) This section directs Interior to establish a Federal Interagency Council on Outdoor Recreation to coordinate issues related to outdoor recreation on federal recreational lands and waters, including

- recreation programs and management policies of federal land and water management agencies,
- responses by such agencies to public health and other emergencies,
- investments relating to outdoor recreation,
- management of emerging technologies,
- research activities,
- dissemination of information about recreation to the public,
- improving access to outdoor recreational areas, and
- identification and engagement of nonfederal partners to support outdoor recreation.

The council must be composed of representatives from the National Park Service (NPS), the Bureau of Land Management (BLM), the U.S. Fish and Wildlife Service (FWS), the Bureau of Indian Affairs, the Bureau of Reclamation, the Forest Service, the U.S. Army Corps of Engineers (Corps), and the National Oceanic and Atmospheric Administration (NOAA). Interior may also invite representatives from other federal, state, or local agencies as well as other organizations to participate in the council's meetings.

(Sec. 114) This section directs the Office of Management and Budget to submit and publish annually 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 Interior and the Forest Service.

## Subtitle B--Public Recreation on Federal Recreational Lands and Waters

(Sec. 121) This section establishes requirements related to long-distance bike trails. Such a trail is a continuous route of at least 80 miles that, among other requirements, primarily consists of natural trails and, to the extent practicable, makes use of existing federal recreational lands. The section directs Interior and the Forest Service to identify (1) no fewer than 10 long-distance bike trails that make use of existing trails and roads, and (2) no 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.

Interior and the Forest Service must solicit public input and take into account geographical and other specified considerations when identifying appropriate bike trails. Within two years of this act's enactment, Interior and the Forest Service, in partnership with interested organizations, must prepare and publish a report that lists those bike trails.

(Sec. 122) Interior and the Forest Service must issue guidance that recognizes that recreational climbing is an appropriate use of land within the National Wilderness Preservation System, if it is undertaken in accordance with the Wilderness Act and other applicable laws. The guidance must (1) describe any requirements for the placement and maintenance of fixed anchors for recreational climbing, and (2) include direction providing for the continued use and maintenance of existing recreational climbing routes.

(Sec. 123) Interior and the Forest Service must assess (1) whether or not each BLM district and each national forest has a target shooting range that meets certain requirements, and (2) whether applicable law or land use plans prevent the establishment of such shooting ranges in each district and each national forest. Interior and the Forest Service must identify at least one suitable location for a target shooting range in each district and national forest that does not already have one and for which construction of one is permissible.

Within five years, Interior and the Forest Service must (1) construct or modify a shooting range at one or more suitable locations, or (2) enter into an agreement with certain entities to establish or maintain a shooting range in these locations.

(Sec. 124) This section directs the Forest Service to identify and develop campsites and related facilities within a specified recreation area within the Ouachita National Forest in Arkansas to be reopened for overnight camping. (Overnight camping within that area has been prohibited since several people died in a major flood on June 11, 2010.)

The Forest Service must identify 54 areas that may be suitable for overnight camping. From those identified areas, the Forest Service must select and establish at least 27 campsites and related facilities for public use. At least eight of the campsites must have electric and water hookups. The Forest Service must ensure that each campsite and related facility identified or established is located outside of the recreation area's 100-year floodplain, which is an area that has a 1% chance of flooding in any given year.

No later than 30 days after the enactment of this act, the Forest Service must reopen each existing campsite within the recreation area that is located outside of the 100-year floodplain if the campsite would not interfere with any current day use areas.

The Forest Service must also rehabilitate and make publicly accessible areas for year-round day use, including (1) Loop A and Loop B; (2) the covered, large-group picnic pavilion in Loop D, and (3) the parking lot in Loop D.

(Sec. 125) This section generally allows individuals and small groups of individuals to engage in filming or still photography in areas under the NPS without a permit or fee.

Specifically, the NPS may not require an authorization, permit, or fee for such an activity if it (1) involves fewer than six individuals; or (2) is incidental to, or documenting, an authorized or allowable activity. The NPS must establish a free de minimis use authorization for filming or still photography activities that involve groups of six to eight people. The NPS must make the application for such authorization available online.

In order to engage in filming or still photography without a permit or fee, or to qualify for a free de minimis use authorization, the activity must meet specified requirements. For example, the activity must be conducted in areas accessible to the public and in a manner that does not interfere with the experience of other visitors.

The NPS may require a permit for filming activities or still photography that (1) involves more than eight individuals, or (2) does not meet the specified requirements. The NPS may charge a reasonable fee for such a permit.

The section also establishes requirements related to processing permit applications.

(Sec. 126) This section authorizes the NPS to donate and distribute parts of an animal (e.g., hide or antlers) removed pursuant to wildlife management activities. Currently, the NPS may only donate and distribute meat to volunteers and others.

(Sec. 127) This section directs Interior and the Forest Service to update out-of-date maps. Within five years, the BLM and the Forest Service must seek to have maps of their lands in a printed and publicly available format that complies with geographic information systems (GIS). Specifically, the BLM must seek to have a ground transportation linear feature map authorized for public use or administrative use for each of its districts. The Forest Service must seek to have a motor vehicle use map for each unit of the National Forest System.

Within 10 years, the Forest Service and the BLM must seek to have an over-snow vehicle-use map for each unit of federal recreational lands and waters administered by the Forest Service or the BLM on which over-snow vehicle-use occurs.

The Forest Service and the BLM must review and update any out-of-date maps within 20 years of an individual map's adoption.

The Forest Service and the BLM must also seek to create additional opportunities for motorized and nonmotorized access and opportunities on federal recreational lands and waters they administer.

(Sec. 128) This section authorizes the BLM, Reclamation, the NPS, and the Forest Service to inspect and decontaminate vessels entering or leaving federal land and waters under their jurisdiction. Specifically, they may inspect vessels for aquatic nuisance species and decontaminate the vessels to prevent introduction or spread of aquatic nuisance species into new aquatic ecosystems. To the maximum extent practicable, they must inspect and decontaminate vessels in a manner that minimizes disruptions to public access for boating and recreation in noncontaminated vessels.

In carrying out an inspection and decontamination, the agencies must coordinate with one or more of the following partners: (1) a reclamation state (i.e., certain western states); (2) an Indian tribe, nonprofit organization, or local government in a reclamation state; or (3) a private entity.

The agencies must also (1) 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 (2) make available to a reclamation state any relevant data gathered related to inspections or decontaminations carried out in such state.

The agencies may not prohibit access to vessels due solely to the absence of a federal, state, or partner's inspection program or station.

In addition, Reclamation must establish a program to provide grants to partners to conduct inspections and decontamination of vessels operating in reclamation projects. The federal share of the cost of a grant may not exceed 75%.

#### Subtitle C--Supporting Gateway Communities and Addressing Park Overcrowding

(Sec. 131) This section directs Interior and the Forest Service to carry out activities to support gateway communities. A *gateway community* means a community that serves as an entry point or is adjacent to a recreation destination at which there is consistently high seasonal or year-round visitation.

Interior and the Forest Service must collaborate with relevant stakeholders to identify needs and economic impacts in gateway communities, including

- housing shortages,
- demands on existing municipal infrastructure,
- accommodation and management of sustainable visitation, and
- supporting visitation at existing developed locations that are nearby and are underutilized.

Interior and the Forest Service may address such needs by

- providing financial or technical assistance to a gateway community under an existing program;
- entering into an agreement, right-of-way, or easement; or
- issuing certain special use permits.

The Rural Business-Cooperative Service must provide to businesses in gateway communities assistance to establish, operate, or expand infrastructure to accommodate and manage sustainable visitation, including hotels, campgrounds, and restaurants. Assistance may be provided through entrepreneur and vocational training programs, technical assistance programs, low-interest business loan programs, and loan guarantee programs.

(Sec. 132) This section directs Interior, the Forest Service, NOAA, and the Corps to establish a single visitation data reporting system. The system must report accurate annual visitation data for (1) each unit of federal recreational lands and waters; and (2) land held in trust for an Indian tribe, upon request of the tribe. The system must include multiple categories of different recreation activities that are reported consistently across agencies and provide an estimate of the number of visitors for each category.

Within five years, the agencies must carry out a Real-Time Data Pilot Program, under which they must share with the public (1) real-time or predictive data on visitation at the unit of federal recreational lands and waters selected to participate in the program, and (2) information about lesser-known recreation sites located near the unit of federal recreational lands and waters. To the extent practicable, real-time data must also be shared about (1) areas within the unit of federal recreational lands and waters; and (2) nearby recreational sites managed by any other federal agencies, a state agency, or a local agency.

The agencies must select the following number of units of recreational lands and waters to participate in the pilot program: (1) 10 units managed by Interior, (2) 5 units managed by the Forest Service, (3) 1 unit managed by NOAA, and (4) 1 unit managed by the Corps.

Agencies may only select units for the program upon the support of the adjacent communities.

(Sec. 133) This section directs Interior, the Forest Service, NOAA, and the Corps to seek to capture comprehensive recreation use data to better understand and inform their decision making.

The agencies must establish pilot protocols for at least 10 land management units under each of their jurisdictions to model recreation use patterns (including low-use recreation activities and dispersed recreation activities) that may not be effectively measured by existing protocols.

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

(Sec. 141) This section directs the NPS to complete and report on an assessment that identifies which locations within national parks have the greatest need for broadband internet access service or cellular service. The assessment must consider the availability of broadband internet in housing, administrative facilities, lodging, developed campgrounds, and other locations where internet service is necessary. The assessment must also consider the availability of cellular service in any developed area that would increase (1) access to emergency services and traveler information, and (2) the communications capabilities of NPS employees.

Based on the assessment, the NPS must develop a plan to install broadband and cellular service infrastructure. The plan must provide for avoiding or minimizing impacts to resources of the NPS. When developing the plan, the NPS must consult with affected Indian tribes and other local stakeholders.

(Sec. 142) Interior and the Forest Service must enter into an agreement with the Department of Commerce to foster the installation or construction of broadband infrastructure at developed recreation sites on federal recreational lands and waters.

Interior and the Forest Service must also publish a list of the developed recreation sites with the highest priority. To the extent practicable, Interior and the Forest Service must also publish an estimate of the costs of equipping those sites with broadband infrastructure. The information must be published within three years of this act's enactment and annually thereafter through FY2031.

(Sec. 143) This section allows Interior to enter into cooperative agreements to carry out activities related to communications sites on lands managed by federal land management agencies.

Interior must also evaluate the potential benefits of depositing revenue generated from certain rental fees into a special account for use solely for activities related to communications sites on lands and waters managed by Interior.

#### Subtitle E--Public-Private Parks Partnerships

(Sec. 151) This section reauthorizes through FY2028 and modifies requirements related to the Forest Service's authority to lease its administrative sites.

Specifically, the section allows the Forest Service to accept services occurring off of the administrative site as consideration for a lease if the services benefit the National Forest System. The section also caps the term of a lease at

100 years. In addition, a lease must provide for the reauthorization of the use of the administrative site if the use is current as of the reauthorization, among other requirements.

(Sec. 152) This section expands Interior's authority to enter into cooperative agreements with state or local governments to manage lands and waters.

Specifically, the section allows Interior to enter into cooperative agreements with Indian tribes or tribal organizations.

Additionally, the section allows Interior to enter into agreements to cooperatively manage lands and waters located near (currently adjacent to) national parks or an NPS unit.

Under the cooperative management agreement, Interior and a state or local entity, Indian tribe, or tribal organization may co-locate in offices and facilities owned or leased by either party.

(Sec. 153) Interior and the Forest Service must establish a pilot program that allows, through agreements or land use authorizations, states, tribal governments, local governments, nonprofit organizations, and private entities to carry out capital improvements or activities to operate or maintain certain existing recreational facilities (i.e., campgrounds, resorts, cabins, or visitor centers) of the Forest Service or the BLM, regardless of whether the governments, organizations, or entities hold authorizations to be a concessionaire for the facility.

Within three years, Interior and the Forest Service must enter into at least one agreement or land use authorization in (1) a unit of the National Forest System in each region of the National Forest System, and (2) BLM recreational lands and waters in no fewer than five states.

Before entering into an agreement or issuing a land use authorization, participating entities must submit a development plan that contains certain information, such as a description of the investments in the recreation facility to be made by such entities during the first three years.

An agreement or land use authorization must be for a term of no more than 30 years, commensurate with the level of investment. The section also outlines other requirements for the agreements and land use authorizations, including requirements related to participating entities sharing revenue generated at the recreational facilities with the federal government. Any of the revenue shared with Interior or the Forest Service must be made available for recreation-related purposes.

(Sec. 154) Interior and the Forest Service must seek to increase and improve parking opportunities and the availability and quality of restrooms for persons recreating on federal recreational lands and waters. Interior and the Forest Service may enter into partnerships with nonfederal entities to implement these requirements.

(Sec. 155) The Forest Service must establish a seven-year pilot program to carry out one or more pay-for-performance projects using innovative funding or financing models to support recreational opportunities that benefit the National Forest System. Under the pilot program, states, Indian tribes, local governments, or organizations pay for the projects upfront with the expectation of a financial return dependent on a project outcome. The pay-for-performance projects must not exceed \$15 million.

The agreement must be for a term of 1 to 20 years. An agreement must include a plan for maintaining any capital improvement constructed as part of a pay-for-performance project after the date on which the project is completed. The agreement must also specify the party that will be responsible for decommissioning the improvements associated with the pay-for-performance project (1) at the end of the useful life of the improvements, (2) if the improvements no longer

serve the purpose for which the improvements were developed, or (3) if such project fails.

The section establishes a process for independently evaluating outcomes achieved and payments made.

(Sec. 156) This section provides statutory authority for the Outdoor Recreation Legacy Partnership Program, under which grants are awarded for projects to (1) acquire land and water for parks and other outdoor recreation purposes in urban and tribal areas, and (2) develop new or renovate existing outdoor recreation facilities that provide outdoor recreation opportunities to the public in these areas. States, local governments, and tribal governments and organizations may apply for grants.

As a condition of receiving a grant, grant recipients must provide matching funds in the form of cash or an in-kind contribution in an amount equal to no less than the full amount of the grant.

Each state-lead agency that receives a grant must annually submit to Interior performance and financial reports.

(Sec. 157) This section expands and updates certain grant programs that are related to protecting battlefields.

First, the section expands NPS' Battlefield Land Acquisition Grant Program to include grants for battlefield sites identified in the document titled *Report to Congress on the Historic Preservation of Revolutionary War and War of 1812 Sites in the United States*, prepared by the NPS, and dated September 2007. Currently, grants are provided for sites identified in the document titled *Report on the Nation's Civil War Battlefields*, prepared by the Civil War Sites Advisory Commission, and dated July 1993. The section excludes sites from the grant program if they are identified in the reports as associated historic sites. Additionally, the section expands the program to allow Indian tribes and nonprofit organizations to apply for grants.

Next, the section expands NPS' Battlefield Restoration Grant Program to include grants to restore battlefield land that is (1) owned by a state, local government, tribal government, or nonprofit organization; and (2) referred to in the battlefield reports.

Within 2 years and every 10 years thereafter, NPS must provide updates to the battlefield reports to reflect relevant developments relating to the battlefields during that period.

## TITLE II--ACCESS AMERICA

### Subtitle A--Access for People with Disabilities

(Sec. 211) This section directs Interior and the Forest Service, within five years, to conduct and publish on their websites a comprehensive assessment of the accessibility of their outdoor recreation facilities for people with disabilities. Within seven years, Interior and the Forest Service must also identify opportunities to create, update, or replace signage and other publicly available information related to such accessibility.

(Sec. 212) Within seven years, Interior and the Forest Service must (1) assess high-priority trails on their recreational lands and waters, including the measurements of each trail; and (2) make information about such trails available on their websites. Interior and the Forest Service must select trails to be assessed (1) in consultation with stakeholders, such as organizations with experience providing outdoor recreation opportunities to individuals with disabilities; (2) in a geographically equitable manner; and (3) in at least 15 units or subunits they manage.

Within seven years, Interior and the Forest Service must also identify opportunities to create, update, or replace signage

and other publicly available information related to such accessibility.

In publishing information about each trail, Interior and the Forest Service must publish information about trails that do not meet federal accessibility guidelines, but could otherwise provide outdoor recreation opportunities for individuals with disabilities through the use of certain assistive technology.

(Sec. 213) Within two years, Interior and the Forest Service must carry out a seven-year pilot program to measure high-priority trails for accessibility, develop new accessible trails, and make minor modifications to existing trails to enhance recreational experiences for individuals with disabilities using assistive technology. Interior and the Forest Service must select at least five units or subunits under their jurisdiction. Interior must ensure that the program is carried out in at least one unit managed by the NPS, the BLM, and the FWS.

(Sec. 214) Interior and the Forest Service must select locations to develop at least three new accessible trails in each region of the National Forest System, the NPS, the BLM, and the FWS. In developing the trails, Interior and the Forest Service must consult with stakeholders on the feasibility and resources necessary for completing the accessible trail and ensure the trails comply with federal accessibility requirements. The section allows Interior and the Forest Service to create new accessible trails or modify existing trails. Within seven years, Interior and the Forest Service must complete each trail.

Additionally, Interior and the Forest Service must (1) publish and distribute maps and install signage for the trails; and (2) submit interim and final reports on the development of the trails.

The section establishes requirements for Interior and the Forest Service to minimize usage conflicts while developing the trail.

(Sec. 215) Interior and the Forest Service must select a location to develop at least two accessible recreation opportunities (e.g., camping facilities, shooting ranges, and water activities) in each region of the National Forest System, the NPS, the BLM, and the FWS. In developing those opportunities, Interior and the Forest Service must consult with stakeholders with respect to the feasibility and resources necessary for completing the opportunities and ensure they comply with federal accessibility requirements. The section allows Interior and the Forest Service to create a new opportunity or modify an existing one. Within seven years, Interior and the Forest Service must complete the opportunities.

Additionally, Interior and the Forest Service must (1) publish and distribute maps and install signage for the opportunities; and (2) submit interim and final reports on the development of the opportunities.

The section establishes requirements for Interior and the Forest Service to minimize usage conflicts while developing the opportunities.

(Sec. 216) For purposes of implementing this subtitle's requirements, Interior and the Forest Service may enter into partnerships, contracts, or agreements with other federal, state, tribal, local, or private entities to make assistive technology available on federal recreational lands and waters.

## Subtitle B--Military and Veterans in Parks

(Sec. 221) This section directs Interior and the Forest Service, in coordination with the Department of Veterans Affairs (VA) and Department of Defense, to develop educational and public awareness materials for members of the Armed Forces and veterans on outdoor recreational opportunities, including with respect to (1) free access to federal

recreational lands and waters, (2) the availability and location of accessible trails and recreation opportunities, and (3) volunteer opportunities.

(Sec. 222) This section directs Interior, the Forest Service, and the VA to establish a Military Veterans Outdoor Recreation Liaison position within each of their departments to implement the requirements of this subtitle and to promote outdoor recreation experiences for veterans on federal recreational lands and waters, among other duties.

(Sec. 223) Interior and the Forest Service must 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 in order to promote such programs and activities.

(Sec. 224) This section directs the Federal Interagency Council on Outdoor Recreation (established under this act) to develop and publish a strategy to increase visits to federal recreational lands and waters by members of the Armed Forces, veterans, and Gold Star family members. The strategy must be updated within five years of the publication of the strategy and every five years thereafter.

(Sec. 225) This section adds a representative for veterans' organizations to the Recreation Resource Advisory Committee, which provides recommendations on recreation fees for areas managed by the Forest Service and the BLM.

(Sec. 226) Interior must establish a two-year pilot program under which veterans are employed by the federal government in positions that relate to Interior's conservation and resource management activities. Interior must provide briefings and a final report on the program.

#### Subtitle C--Youth Access

(Sec. 231) Within two years, Interior and the Forest Service, acting jointly, must develop and publish a strategy to increase the number of youth recreation visits to federal recreational lands and waters with an emphasis on increasing recreation opportunities for underserved youth. The strategy must be updated within five years of the publication of the strategy and every five years thereafter.

(Sec. 232) This section extends through FY2031 the Every Kid Outdoors Program, which provides free access to federal land and waters for students in the 4th grade and accompanying individuals.

### TITLE III--SIMPLIFYING OUTDOOR ACCESS FOR RECREATION

#### Subtitle A--Modernizing Recreation Permitting

(Sec. 311) This section reauthorizes through FY2031 and expands the Federal Lands Recreation Enhancement Act, including to allow Interior and the Forest Service to issue permits and charge associated fees for the use of federal recreational lands and waters for certain specialized recreational use, such as an organizational camp. The section also requires public notices of certain recreation fees (e.g., entrance fees and amenity recreation fees) and revenue generated from such fees to be posted at the locations where the fees are collected.

(Sec. 312) This section directs Interior and the Forest Service to evaluate the process for issuing special recreation permits during the period beginning on January 1, 2021, and ending on January 1, 2025. Based on the evaluation, Interior and the Forest Service must identify opportunities to streamline the process for issuing special recreation permits. Within a year of identifying such opportunities, Interior and the Forest Service must make any needed revisions to relevant agency regulations and guidance documents.

Interior and the Forest Service must, to the maximum extent practicable, utilize available tools to facilitate an effective and efficient environmental review process relating to the issuance of special recreation permits. The section also establishes requirements for developing new or modifying existing categorical exclusions for the issuance of special recreation permits from environmental review under the National Environmental Policy Act of 1969. (A categorical exclusion is a class of actions that a federal agency has determined do not significantly affect the quality of the human environment and, thus, do not require an environmental assessment nor an environmental impact statement.)

The section also prohibits Interior and the Forest Service, except as required under the Wilderness Act for wilderness areas, from conducting a needs assessment as a condition of issuing a special recreation permit.

Interior and the Forest Service must make applications for special recreation permits available online, by mail or email, and in person.

In addition, the section exempts a special recreation permit for an organized group recreation activity or event from being subject to allocations of visitor-use days, which is a method to manage high visitor numbers. The section additionally specifies the circumstances under which a special recreation permit for such an activity or event may be issued.

(Sec. 313) Interior and the Forest Service must establish guidelines to allow a holder of a special recreation permit to engage in substantially similar activities under an existing special recreation permit instead of obtaining a new permit. The section enumerates the criteria for determining what are considered to be substantially similar activities.

Additionally, the section allows recreation service providers holding a special recreation permit to surrender unused visitor-use days for temporary reassignment.

(Sec. 314) This section establishes requirements related to administering special recreation permits. Interior and the Forest Service must (1) publish online certain information about the availability of visitor-use days for allocation to recreation service providers or holders of a commercial use authorization for outfitting and guiding, and (2) ensure the information is consistently updated to provide current and correct information to the public.

Interior and the Forest Service must also establish an email notification system to notify subscribers about the availability of special recreation permits or commercial use authorizations for outfitting and guiding.

Additionally, Interior and the Forest Service must acknowledge and make a decision (or provide an estimated date for a decision) on an application for special recreation permits within 60 days of receiving the completed application.

(Sec. 315) This section expands the Service First Initiative to require Interior and the Forest Service to annually report on the initiative's activities. (The initiative allows Interior and the Forest Service to act cooperatively and share resources.)

Within two years, Interior and the Forest Service must establish a pilot program to offer joint permits for multijurisdictional trips. Within four years, Interior and the Forest Service must issue at least 10 sets of separate special recreation permits or commercial use authorizations under the pilot program.

In carrying out the program, Interior and the Forest Service must designate a lead agency for issuing and administering a set of separate special recreation permits or commercial use authorizations.

A person seeking permits for a multijurisdictional trip must be given the option to apply for (1) separate special recreation permits or commercial use authorization for the use of each unit of federal recreational lands and waters on which the multijurisdictional trip occurs, or (2) a set of separate special recreational permits or commercial use authorizations made

available under the pilot program.

(Sec. 316) This section directs Interior and the Forest Service to establish and implement a program to authorize the issuance of temporary, two-year special recreation permits for new or additional recreational uses of federal recreational land and water managed by the Forest Service and the BLM. Interior and the Forest Service may convert the two-year permit to a long-term permit, if the permittee has completed two years of satisfactory operation.

(Sec. 317) This section directs Interior and the Forest Service to periodically (1) monitor and review special recreation permits for compliance with the terms of the permits, and (2) review the allocation of visitor-use days among special recreation permits for outfitting and guiding.

(Sec. 318) This section directs Interior and the Forest Service to adjust, based on the performance of the recreation service provider, the number of visitor-use days allocated to a recreation service provider under a special recreation permit. In addition, Interior and the Forest Service may temporarily reassign unused visitor-use days to certain other recreation service providers or holders of a special recreation permit.

If unallocated visitor-use days are available, Interior and the Forest Service may amend a special recreation permit to allocate additional visitor-use days to a qualified recreation service provider.

(Sec. 319) This section allows Interior and the Forest Service to condition the issuance of a special recreation permit or a commercial use authorization on the holder of the permit or authorization having a commercial general liability insurance policy that (1) reflects the level of risk of activities under the permit or authorization, and (2) includes the United States as an additional insured in an endorsement to the applicable policy. The section provides an exception from this requirement for certain low-risk activities.

The section prohibits Interior and the Forest Service from requiring states and their subdivisions to shield the United States from certain liability for damages as a condition for issuing a special recreation permit or commercial use authorization if they are precluded from doing so under state law, so long as the states and their subdivisions maintain the minimum amount of liability insurance coverage required by the federal land management agency.

Further, a federal land management agency may not prohibit the use of an exculpatory agreement between a recreation service provider or a holder of a commercial use authorization and a customer, as long as the agreement meets specified requirements.

Within two years, Interior and the Forest Service must (1) review their policies pertaining to the use of exculpatory agreements by recreation service providers and holders of commercial use authorizations, and (2) revise any policy as necessary to make such policies consistent with applicable requirements and across all federal recreational lands and waters.

(Sec. 320) This section allows Interior and the Forest Service to charge a reasonable fee to recover certain administrative costs related to processing, issuing, or monitoring special recreation permits.

(Sec. 321) Interior and the Forest Service may enter into agreements with states and counties to allow for the purchase of federal, state, and local outdoor recreation passes in a single transaction.

(Sec. 322) This section requires each federal land management agency to include a link on their website that allows a user to purchase a National Parks and Federal Recreational Lands Pass (also known as an America the Beautiful Pass). In addition, Interior and the Forest Service must establish a digital version of the pass that may be stored on a mobile

device and that is available immediately upon payment.

The section also allows for online payment of entrance fees, amenity recreation fees, and special recreation permit fees.

#### Subtitle B--Making Recreation a Priority

(Sec. 331) Interior and the Forest Service must consult and coordinate with specified stakeholders (e.g., outdoor recreation businesses) to better understand (1) trends with respect to visitors to federal recreational lands and waters; (2) the effect of seasonal closures on outdoor recreation opportunities, adjacent businesses, and local tax revenue; and (3) opportunities to extend the period of time during which those areas are open to the public.

For units managed by the Forest Service, the BLM, or the NPS in which recreational use is highly seasonal, the agencies may extend the recreation season or increase recreation use in a sustainable manner during the offseason. In determining whether to extend the recreation season, the agencies must consider the benefits of extending the recreation season for gateway communities and crowd reduction. Costs for extending the season may be shared with businesses, local governments, or other entities.

#### Subtitle C--Maintenance of Public Land

(Sec. 341) This section expands the Volunteers in the National Forests Act of 1972 to allow BLM to recruit, train, and accept volunteers to help with activities in areas administered by BLM. The section generally subjects BLM volunteers to the same provisions that currently govern volunteers of the National Forest Service (e.g., volunteers may not be treated as federal employees for purposes of federal employment law). It also authorizes BLM and Forest Service volunteers to support activities relating to recreation access, trail construction or maintenance, facility construction or maintenance, and education. The section additionally specifies that neither agency may require volunteers to obtain liability insurance.

The section accordingly renames the Volunteers in the National Forests Act of 1972 as the Volunteers in the National Forests and Public Lands Act.

#### Subtitle D--Recreation Not Red Tape

(Sec. 351) This section allows Interior and the Forest Service to enter into a good neighbor agreement with a state, Indian Tribe, or county to enhance or improve recreational areas on federal land, nonfederal land, or land owned by an Indian tribe. Such agreements must be made available to the public.

Interior and the Forest Service may provide financial or technical assistance to a state, Indian tribe, or county carrying out activities under such agreements.

The section also allows funds received from timber sales by an Indian tribe or county under a good neighbor agreement for forest, rangeland, or watershed restoration services to be retained and used by such governments to carry out authorized restoration services under the agreement, as is already allowed for a state. It also allows a state, Indian tribe, or county to use any leftover funds for authorized recreation services under good neighbor agreements. This authority terminates on October 1, 2028.

(Sec. 352) If Interior or the BLM does not require the public to obtain a permit or reservation to access a picnic area, then they may not require a person (including an educational group) that provides outfitting and guiding services to fewer than 40 customers per year to obtain a permit solely to access the picnic area.

(Sec. 353) Interior and the Forest Service must jointly report on the use of special recreation permits for communities that are (1) low-income or underserved, and (2) underrepresented in outdoor recreation opportunities on federal recreational lands and waters.

(Sec. 354) This section requires the Forest Service, Interior, and the Corps to work with the U.S. Geological Survey to collect, aggregate, digitize, standardize, or publish certain data on their behalf. Currently, such coordination is only authorized.

## Actions Timeline

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- **Jan 4, 2025:** Signed by President.
- **Jan 4, 2025:** Became Public Law No: 118-234.
- **Dec 27, 2024:** Presented to President.
- **Dec 20, 2024:** Message on Senate action sent to the House.
- **Dec 19, 2024:** Passed/agreed to in Senate: Passed Senate without amendment by Unanimous Consent.
- **Dec 19, 2024:** Passed Senate without amendment by Unanimous Consent. (consideration: CR S7205-7214)
- **Apr 10, 2024:** Received in the Senate, read twice.
- **Apr 9, 2024:** Mr. Westerman moved to suspend the rules and pass the bill, as amended.
- **Apr 9, 2024:** Considered under suspension of the rules. (consideration: CR H2162-2189)
- **Apr 9, 2024:** DEBATE - The House proceeded with forty minutes of debate on H.R. 6492.
- **Apr 9, 2024:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (text: CR H2162-2184)
- **Apr 9, 2024:** On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (text: CR H2162-2184)
- **Apr 9, 2024:** Motion to reconsider laid on the table Agreed to without objection.
- **Apr 5, 2024:** Reported (Amended) by the Committee on Natural Resources. H. Rept. 118-441, Part I.
- **Apr 5, 2024:** Committee on Veterans' Affairs discharged.
- **Apr 5, 2024:** Committee on Agriculture discharged.
- **Apr 5, 2024:** Placed on the Union Calendar, Calendar No. 365.
- **Jan 24, 2024:** Referred to the Subcommittee on Commodity Markets, Digital Assets, and Rural Development.
- **Jan 24, 2024:** Referred to the Subcommittee on Forestry.
- **Jan 17, 2024:** Subcommittee on Federal Lands Discharged
- **Jan 17, 2024:** Committee Consideration and Mark-up Session Held
- **Jan 17, 2024:** Ordered to be Reported (Amended) by Unanimous Consent.
- **Nov 30, 2023:** Referred to the Subcommittee on Federal Lands.
- **Nov 30, 2023:** Subcommittee Hearings Held
- **Nov 29, 2023:** Introduced in House
- **Nov 29, 2023:** Referred to the Committee on Natural Resources, and in addition to the Committees on Agriculture, and Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.