

117TH CONGRESS
1ST SESSION

S. 1269

To require the Secretary of the Interior and the Secretary of Agriculture to complete an interagency report on the effects of special recreation permits on environmental justice communities, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 21, 2021

Ms. CORTEZ MASTO introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To require the Secretary of the Interior and the Secretary of Agriculture to complete an interagency report on the effects of special recreation permits on environmental justice communities, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. INTERAGENCY REPORT ON THE BENEFITS OF**
4 **SPECIAL RECREATION PERMITS TO ENVI-**
5 **RONMENTAL JUSTICE COMMUNITIES.**

6 (a) DEFINITIONS.—In this section:

7 (1) ENVIRONMENTAL JUSTICE COMMUNITY.—

8 The term “environmental justice community” means

1 a community with significant representation of com-
2 munities of color, low-income communities, or Tribal
3 and indigenous communities, that experiences, or is
4 at risk of experiencing, higher or more adverse
5 human health or environmental effects than other
6 communities.

7 (2) FEDERAL LAND MANAGEMENT AGENCY;
8 FEDERAL RECREATIONAL LANDS AND WATERS; SEC-
9 RETARIES.—The terms “Federal land management
10 agency”, “Federal recreational lands and waters”,
11 and “Secretaries” have the meanings given the
12 terms in section 802 of the Federal Lands Recre-
13 ation Enhancement Act (16 U.S.C. 6801).

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

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

19 (B) conducts recreational or competitive
20 events, including incidental sales.

21 (4) SPECIAL RECREATION PERMIT.—The term
22 “special recreation permit” means a permit issued
23 by a Federal land management agency for special-
24 ized individual or group uses of Federal recreational
25 lands and waters, including—

1 (A) for outfitting, guiding, or other recre-
2 ation services;

3 (B) for recreation or competitive events,
4 which may include incidental sales;

5 (C) for the use of—

6 (i) a special area; or

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

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

11 (E) for a group activity or event.

12 (b) REPORT.—Not later than 3 years after the date
13 of enactment of this Act, the Secretaries shall submit to
14 the Committee on Energy and Natural Resources of the
15 Senate and the Committee on Natural Resources of the
16 House of Representatives a report that describes—

17 (1) the estimated use of special recreation per-
18 mits by recreation service providers serving environ-
19 mental justice communities;

20 (2) any national, regional, State, local, or site-
21 specific policies, including any policies required
22 under the Federal Lands Recreation Enhancement
23 Act (16 U.S.C. 6801 et seq.), that facilitate public
24 land access for recreation service providers serving
25 environmental justice communities;

1 (3) any case studies that may provide illus-
2 trative examples of the manner in which special
3 recreation permits, partnerships, or cooperative
4 agreements are being effectively used by land man-
5 agers for the purpose of providing public land access
6 to recreation service providers serving environmental
7 justice communities;

8 (4) any barriers to public land access for recre-
9 ation service providers serving environmental justice
10 communities; and

11 (5) any recommendations for agency policy, or
12 if necessary, action by Congress, to encourage and
13 simplify public land access for recreation service pro-
14 viders serving environmental justice communities.

15 (c) VOLUNTARY PARTICIPATION BY RECREATION
16 SERVICE PROVIDERS.—For purposes of preparing the re-
17 port under subsection (b), the Secretaries—

18 (1) shall contact all existing or prospective
19 recreation service providers to request a voluntary
20 estimate of the number of user days used by or, in
21 the case of a prospective recreation service provider,
22 expected to be used by, individuals from environ-
23 mental justice communities during the period cov-
24 ered by the report;

1 (2) shall request from recreation service pro-
2 viders and interested members of the public any
3 other information required for the report; and

4 (3) shall not use the participation of, or the
5 provision of information to the Secretaries by, a
6 recreation service provider under this subsection as
7 a condition of a special recreation permit.

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