

117TH CONGRESS
1ST SESSION

S. 3402

To amend title 54, United States Code, and the Federal Lands Recreation Enhancement Act to prohibit medical discrimination relating to applications for commercial use authorizations and special recreation permits, and to clarify the status of the holders of commercial use authorizations and special recreation permits, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 15, 2021

Mr. RUBIO (for himself, Mr. SCOTT of Florida, Mr. RISCH, Mr. MARSHALL, Mr. CASSIDY, Mr. CRAPO, Ms. LUMMIS, Mr. BARRASSO, Mr. SCOTT of South Carolina, and Ms. MURKOWSKI) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To amend title 54, United States Code, and the Federal Lands Recreation Enhancement Act to prohibit medical discrimination relating to applications for commercial use authorizations and special recreation permits, and to clarify the status of the holders of commercial use authorizations and special recreation permits, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Protecting Guides and
3 Outfitters from Coronavirus Vaccine Mandates in the
4 Great Outdoors Act”.

5 **SEC. 2. NATIONAL PARK SERVICE COMMERCIAL USE AU-**
6 **THORIZATIONS.**

7 Section 101925(b) of title 54, United States Code,
8 is amended by adding at the end the following:

9 “(3) PROHIBITION OF MEDICAL DISCRIMINA-
10 TION.—The Secretary shall not deny an application
11 for a commercial use authorization under this sec-
12 tion for any reason relating to the coronavirus vac-
13 cination status of an applicant or an employee of an
14 applicant.

15 “(4) STATUS OF HOLDER OF COMMERCIAL USE
16 AUTHORIZATION.—A holder of a commercial use au-
17 thorization issued under this section shall not be
18 considered to be an employee, contractor, or subcon-
19 tractor of the Federal Government.”.

20 **SEC. 3. FEDERAL LAND MANAGEMENT AGENCY PERMIT-**
21 **TING.**

22 Section 803(h) of the Federal Lands Recreation En-
23 hancement Act (16 U.S.C. 6802(h)) is amended—

24 (1) by striking “The Secretary may” and in-
25 serting the following:

26 “(1) IN GENERAL.—The Secretary may”; and

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

2 “(2) PROHIBITION OF MEDICAL DISCRIMINA-
3 TION.—The Secretary shall not deny an application
4 for a special recreation permit under paragraph (1)
5 for any reason relating to the coronavirus vaccina-
6 tion status of an applicant or an employee of an ap-
7 plicant.

8 “(3) STATUS OF HOLDER OF SPECIAL RECRE-
9 ATION PERMIT.—A holder of a special recreation
10 permit issued under paragraph (1) shall not be con-
11 sidered to be an employee, contractor, or subcon-
12 tractor of the Federal Government.”.

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