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(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

To enhance the preservation, maintenance, and management of national
historic trails and national scenic trails, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. BEYER introduced the following bill; which was referred to the Committee
on _____

A BILL

To enhance the preservation, maintenance, and management
of national historic trails and national scenic trails, and
for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Appalachian Trail Cen-
5 ennial Act”.

6 **SEC. 2. CONGRESSIONAL DECLARATION OF POLICY.**

7 Congress declares that—

1 (1) the large landscape conservation work relat-
2 ing to national historic trails and national scenic
3 trails is built on partnership, collaboration, and com-
4 munity engagement;

5 (2) national historic trails and national scenic
6 trails—

7 (A) are landscape conservation tools; and

8 (B) are federally designated areas, but
9 may include portions of non-Federal land under
10 the National Trails System Act (16 U.S.C.
11 1241 et seq.);

12 (3) national historic trails and national scenic
13 trails are intended to be developed and preserved
14 over time, collaboratively and cooperatively, to fur-
15 ther the purposes of the National Trails System Act
16 (16 U.S.C. 1241 et seq.);

17 (4) the Appalachian National Scenic Trail, 1 of
18 the first 2 components of the National Trails Sys-
19 tem—

20 (A) is a realm of natural, scenic, historical,
21 and cultural wonder available to all; and

22 (B) is a model for cooperative management
23 and public-private partnership;

1 (5) the centennial of the Appalachian Trail
2 Conservancy in 2025 is an opportunity to strengthen
3 the precepts of the cooperative management model—

4 (A) pioneered on the Appalachian National
5 Scenic Trail; and

6 (B) to be replicated as appropriate
7 throughout the National Trails System;

8 (6) the development of the Appalachian Na-
9 tional Scenic Trail is in large part due to the efforts
10 of volunteer organizations (commonly referred to as
11 “Appalachian Trail Maintaining Clubs”) that—

12 (A) directly or through subdivisions or sub-
13 sidiary organizations, have coordinated the par-
14 ticipation of tens of thousands of volunteers for
15 the planning, construction, development, main-
16 tenance, operation, and stewardship of the Ap-
17 palachian National Scenic Trail, which inspired
18 the establishment of the National Trails Sys-
19 tem; and

20 (B) are the expert, dispersed corps of vol-
21 unteers who provide much of the day-to-day co-
22 operative operation of the Appalachian National
23 Scenic Trail;

24 (7) there are inherently governmental functions
25 referred to in the National Trails System Act (16

1 U.S.C. 1241 et seq.) relating to the administration
2 of national historic trails and national scenic trails,
3 which is distinct from the management and oper-
4 ation of those trails;

5 (8) the Federal Government is responsible for—

6 (A) the administration of national historic
7 trails and national scenic trails; and

8 (B) in cases in which the United States is
9 the landowner, the management of national his-
10 toric trails and national scenic trails;

11 (9) volunteers, volunteer organizations, and
12 other cooperating individuals or entities are empow-
13 ered to undertake non-inherently governmental and
14 delegable roles in the management and operation of
15 national historic trails and national scenic trails;

16 (10) the operation of a national historic trail or
17 national scenic trail does not require land manage-
18 ment authority over the land on which the national
19 historic trail or national scenic trail is located; and

20 (11) it is the policy of the Federal Government
21 that national historic trails and national scenic
22 trails—

23 (A) are conservation units managed and
24 operated in partnership with governmental and
25 nongovernmental entities; and

1 (B) while administered by Federal agen-
2 cies, are intended to be cooperatively developed
3 with appropriate non-Federal governmental and
4 nongovernmental partners.

5 **SEC. 3. DEFINITIONS.**

6 In this Act:

7 (1) ADMINISTRATION.—The term “administra-
8 tion”, with respect to a covered trail, means the
9 roles and responsibilities of the Secretary concerned
10 with respect to the covered trail that may not be
11 shared with any other individual or entity.

12 (2) COMPREHENSIVE PLAN.—The term “com-
13 prehensive plan” means a comprehensive plan for a
14 covered trail submitted under subsection (e) or (f) of
15 section 5 of the National Trails System Act (16
16 U.S.C. 1244).

17 (3) COOPERATIVE MANAGEMENT.—The term
18 “cooperative management”, with respect to a cov-
19 ered trail, means the negotiated division of roles and
20 responsibilities relating to the stewardship and devel-
21 opment of the covered trail that are—

22 (A) permissible under law; and

23 (B) within the categories of—

24 (i) administration;

25 (ii) management; and

1 (iii) operation.

2 (4) COOPERATIVE MANAGEMENT SYSTEM.—The
3 term “cooperative management system”, with re-
4 spect to a covered trail, means the negotiated man-
5 agement structure for cooperative management of
6 the covered trail, including—

7 (A) Federal and State trust resource man-
8 agers;

9 (B) Tribal governments;

10 (C) nongovernmental organizations; and

11 (D) volunteers organized by entities de-
12 scribed in subparagraphs (A) through (C).

13 (5) COVERED TRAIL.—The term “covered trail”
14 means a national historic trail or national scenic
15 trail designated by section 5(a) of the National
16 Trails System Act (16 U.S.C. 1244(a)).

17 (6) DESIGNATED OPERATIONAL PARTNER.—
18 The term “Designated Operational Partner”, with
19 respect to a covered trail, means the 1 or more enti-
20 ties designated for the covered trail under subpara-
21 graph (A) or (B) of section 4(b)(1).

22 (7) GATEWAY COMMUNITY.—The term “gate-
23 way community” means a municipality or unincor-
24 porated settlement in the vicinity of a covered trail.

1 (8) MANAGEMENT.—The term “management”,
2 with respect to a covered trail, means the roles and
3 responsibilities under applicable law of the owner of
4 the land, or any interest in land, on which the cov-
5 ered trail is located with respect to the covered trail.

6 (9) OPERATION.—

7 (A) IN GENERAL.—The term “operation”,
8 with respect to a covered trail, means any activ-
9 ity permissible under law that—

10 (i) is carried out pursuant to a coop-
11 erative agreement on land on which the
12 covered trail is located;

13 (ii) is not an activity of administra-
14 tion; and

15 (iii) does not infringe on any manage-
16 ment or ownership authority of the appli-
17 cable land manager, if the land manager is
18 not the individual or entity carrying out
19 the activity.

20 (B) INCLUSIONS.—The term “operation”
21 includes—

22 (i) the identification and acquisition of
23 land for a covered trail;

1 (ii) the planning, construction, and
2 maintenance of a facility or other improve-
3 ment on, across, or along a covered trail;

4 (iii) the provision of services for a cov-
5 ered trail;

6 (iv) the conceptual development of a
7 covered trail;

8 (v) the maintenance of the treadway
9 of a covered trail;

10 (vi) conducting a research project re-
11 lating to a covered trail;

12 (vii) the provision to volunteers of
13 education and training relating to methods
14 of planning for, construction of, and main-
15 tenance of a covered trail; and

16 (viii) the conservation of natural, cul-
17 tural, or other resources associated with a
18 covered trail.

19 (10) PROPOSED PRIORITY LIST.—The term
20 “proposed priority list” means a proposed priority
21 list for a covered trail developed under section
22 4(b)(3).

23 (11) SECRETARY.—The term “Secretary”
24 means the Secretary of the Interior.

1 (12) SECRETARY CONCERNED.—The term
2 “Secretary concerned” means—

3 (A) the Secretary, with respect to a cov-
4 ered trail administered by the Secretary; and

5 (B) the Secretary of Agriculture, with re-
6 spect to a covered trail administered by the
7 Secretary of Agriculture.

8 (13) VISITOR CAPACITY.—The term “visitor ca-
9 pacity” means, with respect to a covered trail, the
10 maximum number and types of visitor use that the
11 covered trail can accommodate while achieving and
12 maintaining the desired resource conditions and vis-
13 itor experiences that are consistent with the pur-
14 poses for which the covered trail was established,
15 which may vary for different segments of a covered
16 trail.

17 (14) VOLUNTEER ORGANIZATION.—The term
18 “volunteer organization” means any organization
19 providing operation or management support to a
20 covered trail administrator or land manager, includ-
21 ing by organizing volunteers.

22 **SEC. 4. STRENGTHENING ADMINISTRATION, MANAGEMENT,**
23 **AND OPERATION FOR NATIONAL HISTORIC**
24 **TRAILS AND NATIONAL SCENIC TRAILS.**

25 (a) STATUS.—Each covered trail shall be—

- 1 (1) a unit of the National Trails System; and
2 (2) a unit of the federally administered area to
3 which the Secretary concerned assigns the covered
4 trail.

5 (b) OPERATION.—

6 (1) DESIGNATED OPERATIONAL PARTNERS.—

7 (A) APPALACHIAN TRAIL CONSERVANCY.—

8 Not later than 1 year after the date of enact-
9 ment of this Act, the Secretary concerned shall
10 designate the Appalachian Trail Conservancy as
11 the Designated Operational Partner for the Ap-
12 palachian National Scenic Trail.

13 (B) ADDITIONAL DESIGNATIONS.—

14 (i) IN GENERAL.—In addition to the
15 designation under subparagraph (A), the
16 Secretary concerned may designate to
17 serve as the Designated Operational Part-
18 ner for any other covered trail 1 or more
19 eligible entities described in clause (ii) that
20 the Secretary concerned determines—

21 (I) are capable of supporting the
22 partnership nature of the covered trail
23 as a mechanism for conservation, vol-
24 unteer mobilization, and land and fa-
25 cility management; and

1 (II) would be successful partners
2 for the applicable covered trail.

3 (ii) DESCRIPTION OF ELIGIBLE ENTI-
4 TIES.—An eligible entity referred to in
5 clause (i) is an organization, institution,
6 corporation, or other entity that, as deter-
7 mined by the Secretary concerned—

8 (I) is described in section 501(c)
9 of the Internal Revenue Code of 1986
10 and exempt from tax under section
11 501(a) of that Code;

12 (II) has demonstrated experience
13 in the operation, maintenance, and
14 preservation of the resources of the
15 covered trail, regardless of whether
16 the experience was before or after the
17 designation of the covered trail under
18 the National Trails System Act (16
19 U.S.C. 1241 et seq.);

20 (III) has a plan for providing, fa-
21 cilitating, and coordinating the serv-
22 ices of volunteers to contribute to the
23 stewardship of the covered trail;

24 (IV) has a record, including
25 through a predecessor organization, of

1 engagement with the establishment,
2 management, maintenance, or oper-
3 ation of the covered trail;

4 (V) adheres to reasonable finan-
5 cial, accounting, and risk management
6 practices;

7 (VI) adheres to applicable re-
8 quirements of Federal agreements,
9 grants, and contracts; and

10 (VII) would not supplant an or-
11 ganization already serving a substan-
12 tial operational role trail-wide for the
13 covered trail or across a significant
14 portion of the covered trail, unless the
15 Secretary concerned has determined
16 that the organization being sup-
17 planted has failed to perform the re-
18 sponsibilities of the organization
19 under a management agreement with
20 respect to the covered trail.

21 (iii) QUALIFICATIONS.—

22 (I) IN GENERAL.—An eligible en-
23 tity designated as a Designated Oper-
24 ational Partner under clause (i) shall
25 be considered to possess unique ex-

1 pertise, location capacity, cost-sharing
2 ability, or other unique qualities rel-
3 evant to the designation as a Des-
4 ignated Operational Partner for the
5 covered trail.

6 (II) NO COMPETITIVE PROC-
7 ESS.—An eligible entity designated as
8 a Designated Operational Partner
9 under clause (i) may be a direct bene-
10 ficiary or recipient of appropriated
11 funds without competition.

12 (III) PRESENT-FUNDED ACTIV-
13 ITY.—Designation of a Designated
14 Operational Partner for a covered
15 trail shall be considered to be a con-
16 tinuation or completion of a present-
17 funded activity.

18 (C) RESCISSION.—The Secretary con-
19 cerned may rescind the designation of an eligi-
20 ble entity as a Designated Operational Partner
21 under subparagraph (B) if the Secretary con-
22 cerned determines that the eligible entity has
23 ceased to meet 1 or more of the criteria de-
24 scribed in clause (ii) of that subparagraph.

25 (2) PROTECTION OF PROPERTY RIGHTS.—

1 (A) IN GENERAL.—If the Designated
2 Operational Partner for a covered trail becomes
3 aware of an allegation of trespass or other in-
4 fringement or violation of a property right held
5 by the Federal Government that adversely af-
6 fects the identified cultural, natural, scenic, rec-
7 reational, or historical resources of the covered
8 trail, the Designated Operational Partner may
9 submit to the Secretary concerned and the
10 United States Attorney for the Federal district
11 court in which the alleged violation occurred a
12 written request—

13 (i) to investigate the allegation; and
14 (ii) to enforce the rights of the United
15 States by preventing, reducing, mitigating,
16 or remediating the adverse effects of the
17 alleged violation.

18 (B) NOTICE.—

19 (i) IN GENERAL.—A request under
20 subparagraph (A) shall include, to the
21 maximum extent practicable, detailed in-
22 formation relating to the alleged trespass,
23 infringement, or violation, including—

1 (I) the nature, location, duration,
2 and known identity of any alleged of-
3 fender;

4 (II) any efforts carried out to ad-
5 dress the alleged violation;

6 (III) any impacts of the alleged
7 violation on the applicable covered
8 trail or resources of the covered trail;
9 and

10 (IV) any requested remedy.

11 (ii) SUBMISSION REQUIREMENTS.—A
12 request under subparagraph (A) shall be—

13 (I) submitted to the Secretary
14 concerned and appropriate United
15 States Attorney by—

16 (aa) electronic means; or

17 (bb) delivery to the address
18 on file for official correspondence;

19 and

20 (II) clearly identified as a “Des-
21 ignated Operational Partner Request
22 for Redress”.

23 (iii) SIGNATURES.—A request under
24 subparagraph (A) may be signed by—

1 (I) the applicable Designated
2 Operational Partner; and

3 (II) any other individual or entity
4 that is a part of the cooperative man-
5 agement system of the applicable cov-
6 ered trail.

7 (C) RESPONSE.—

8 (i) ASSESSMENT.—Not later than 60
9 days after the date on which a request is
10 submitted under subparagraph (A), the
11 Secretary shall submit to the United
12 States Attorney for the Federal district
13 court in which the applicable alleged tres-
14 pass, infringement, or violation occurred
15 and the Designated Operational Partner
16 an assessment of the alleged violation.

17 (ii) ADDITIONAL INFORMATION FROM
18 DESIGNATED OPERATIONAL PARTNER.—
19 Not later than 30 days after the date on
20 which the Designated Operational Partner
21 receives an assessment under clause (i),
22 the Designated Operational Partner may
23 provide to the Secretary concerned and the
24 relevant United States Attorney additional

1 information relating to the alleged viola-
2 tion.

3 (iii) RESPONSE FROM UNITED STATES
4 ATTORNEY.—Not later than 150 days after
5 the date on which a request is submitted
6 to a United States Attorney under sub-
7 paragraph (A), and not later than 60 days
8 after the date on which a Designated
9 Operational Partner provides additional in-
10 formation under clause (ii) to the United
11 States Attorney, if applicable, the United
12 States Attorney shall submit to the Sec-
13 retary concerned and the Designated Oper-
14 ational Partner information regarding
15 whether the United States Attorney is pur-
16 suing redress for the alleged violation.

17 (D) LITIGATION COSTS.—In issuing any
18 final order with respect to a petition brought
19 under this subsection, the relevant Federal dis-
20 trict court may award to a Designated Oper-
21 ational Partner the costs of petitioning (includ-
22 ing reasonable attorney and expert witness fees)
23 if the Secretary or United States Attorney
24 takes action to address the alleged violation of
25 the rights of the United States.

1 (E) EFFECT.—Nothing in this para-
2 graph—

3 (i) limits any cause of action that the
4 Federal Government may have under any
5 other law;

6 (ii) obligates—

7 (I) a Designated Operational
8 Partner to participate, or to present
9 claims or defenses, in any civil action
10 relating to the property rights of the
11 Federal Government; or

12 (II) the Federal Government to
13 participate, or to present claims or de-
14 fenses, in any civil action relating to
15 the property rights of the Designated
16 Operational Partner; or

17 (iii) makes—

18 (I) a Designated Operational
19 Partner a necessary party in any ac-
20 tion relating to the property rights of
21 the Federal Government; or

22 (II) the Federal Government a
23 necessary party in any action relating
24 to the property rights of the Des-
25 ignated Operational Partner.

1 (3) LAND AND RESOURCE PROTECTION PRO-
2 POSED PRIORITY LISTS.—

3 (A) IN GENERAL.—Each Designated Oper-
4 ational Partner shall periodically develop and
5 submit to the Secretary concerned and the
6 heads of any other appropriate Federal land
7 management agencies a proposed priority list
8 for land and resource protection for the applica-
9 ble covered trail.

10 (B) APPLICABLE LAW.—

11 (i) IN GENERAL.—A proposed priority
12 list shall be considered to advance the
13 planning and development of the applicable
14 covered trail in accordance with section
15 2(c) of the National Trails System Act (16
16 U.S.C. 1241(c)).

17 (ii) EFFECT.—Nothing in this Act—

18 (I) conveys any land protection
19 authority not included in the National
20 Trails System Act (16 U.S.C. 1241 et
21 seq.); or

22 (II) prioritizes the use of funds
23 for land protection projects on covered
24 trails over funds for other land protec-
25 tion projects.

1 (C) CONTENTS.—A Designated Oper-
2 ational Partner shall include on a proposed pri-
3 ority list—

4 (i) the location and current ownership
5 of each parcel of land identified for inclu-
6 sion in the applicable covered trail;

7 (ii) the desired nature of ownership of
8 each parcel of land identified for inclusion
9 in the covered trail, including a partial or
10 fee ownership;

11 (iii) the name of the owner of each
12 identified parcel of land;

13 (iv) a description of the benefit to the
14 covered trail in the preservation of scenic,
15 recreational, historical, natural, or cultural
16 values for which the covered trail was des-
17 ignated; and

18 (v) the name of any nongovernmental
19 partner committed to advancing the pro-
20 tection of parcels of land identified on the
21 proposed priority list for inclusion in the
22 covered trail.

23 (D) INPUT; CRITERIA.—In developing a
24 proposed priority list, a Designated Operational
25 Partner shall—

1 (i) solicit input from a variety of gov-
2 ernmental, nongovernmental, Federal, and
3 State partners, the scope of which shall be
4 limited to a landscape or physiographic re-
5 gion agreed to by the Designated Oper-
6 ational Partner and the Secretary con-
7 cerned; and

8 (ii) establish criteria to prioritize land
9 and resource protection recommendations
10 included on the proposed priority list.

11 (E) USE OF FEDERAL FUNDS.—

12 (i) IN GENERAL.—In using Federal
13 funds to protect land for a covered trail—

14 (I) the Secretary concerned shall
15 prioritize the use of funds for land
16 identified for Federal protection in the
17 applicable proposed priority list, ex-
18 cept to the extent that the Secretary
19 concerned determines, based on con-
20 siderations set forth in the National
21 Trails System Act (16 U.S.C. 1241 et
22 seq.) and the comprehensive plan for
23 the covered trail, and subject to clause
24 (ii), that—

1 (aa) a parcel of land in-
2 cluded on the proposed priority
3 list should not be prioritized; or

4 (bb) a parcel of land not in-
5 cluded on the proposed priority
6 list should be prioritized; and

7 (II) a State is encouraged to in-
8 corporate land identified for State
9 protection in the applicable land and
10 resource conservation plan of the
11 State, as appropriate, in accordance
12 with State law.

13 (ii) NOTICE.—If the Secretary con-
14 cerned determines under clause (i)(I) that
15 a parcel of land included on the proposed
16 priority list should not be prioritized or
17 that a parcel of land not included on the
18 proposed priority list should be prioritized
19 instead of a parcel of land included on the
20 proposed priority list, the Secretary con-
21 cerned shall submit to the Designated
22 Operational Partner notice of the deter-
23 mination, including a detailed explanation
24 of the reason for the determination.

1 (F) REPORTS.—Not less frequently than
2 once every 5 years, the Secretaries concerned
3 shall submit to Congress a report that describes
4 any progress or lack of progress of the Secre-
5 taries concerned with respect to advancing land
6 and resource conservation objectives under pro-
7 posed priority lists.

8 (G) AUTHORIZATION OF APPROPRIA-
9 TIONS.—There are authorized to be appro-
10 priated to each of the Secretary and the Sec-
11 retary of Agriculture such sums as are nec-
12 essary to carry out planning activities relating
13 to the development, updating, and implementa-
14 tion of proposed priority lists under this para-
15 graph.

16 (4) ACCEPTANCE OR REJECTION OF COM-
17 PREHENSIVE PLANS.—

18 (A) IN GENERAL.—Notwithstanding sub-
19 sections (e) and (f) of section 5 of the National
20 Trails System Act (16 U.S.C. 1244), a Des-
21 ignated Operational Partner may accept or re-
22 ject—

23 (i) a proposed comprehensive plan for
24 the applicable covered trail; and

1 (ii) any amendments or revisions to
2 the comprehensive plan for the applicable
3 covered trail (other than an addendum to
4 a comprehensive plan for the applicable
5 covered trail prepared in accordance with
6 the process established under subsection
7 (g)(3)).

8 (B) REPORT.—If a comprehensive plan or
9 amendment or revision to a comprehensive plan
10 rejected by a Designated Operational Partner
11 under subparagraph (A) is subsequently sub-
12 mitted to Congress, the Secretary concerned
13 shall submit to the Committee on Energy and
14 Natural Resources of the Senate and the Com-
15 mittee on Natural Resources of the House of
16 Representatives a report that describes the
17 basis for the submission of the rejected com-
18 prehensive plan or amendment or revision to
19 the comprehensive plan by the Secretary con-
20 cerned.

21 (5) SURPLUS PERSONAL PROPERTY.—

22 (A) IN GENERAL.—Notwithstanding sub-
23 chapter III of chapter 5 of title 40, United
24 States Code, a Federal agency may dispose of
25 surplus personal property by transferring the

1 property to a Designated Operational Partner,
2 to be used by the Designated Operational Part-
3 ner for purposes of carrying out a cooperative
4 agreement entered into under section 7(h) of
5 the National Trails System Act (16 U.S.C.
6 1246(h)).

7 (B) PROHIBITION.—A transfer of surplus
8 personal property under subparagraph (A) shall
9 be subject to the condition that the Designated
10 Operational Partner to whom the property is
11 transferred (including any subsidiary or sub-
12 division of the Designated Operational Partner)
13 may not—

14 (i) use the transferred property for
15 purposes other than carrying out the du-
16 ties and authorities of the Designated
17 Operational Partner under the cooperative
18 agreement; or

19 (ii) transfer the transferred property
20 to a recipient that is not a part of the co-
21 operative management system of the cov-
22 ered trail.

23 (c) MANAGEMENT.—Nothing in this Act or the Na-
24 tional Trails System Act (16 U.S.C. 1241 et seq.)—

1 (1) provides any authority to a Designated
2 Operational Partner, other volunteer organization,
3 volunteer, or other individual or entity any authority
4 to issue, amend, or revoke any land use authoriza-
5 tion unless provided for explicitly by statute;

6 (2) except as specifically provided in this Act or
7 the National Trails System Act (16 U.S.C. 1241 et
8 seq.), removes or transfers any authority otherwise
9 provided by law; or

10 (3) except as authorized by the processes estab-
11 lished under this Act or the National Trails System
12 Act (16 U.S.C. 1241 et seq.), provides any Des-
13 ignated Operational Partner, other volunteer organi-
14 zation, volunteer, or any other individual or entity
15 authority over the property, holdings, or possessory
16 or other interest of any other partner to a covered
17 trail.

18 (d) ADMINISTRATION.—

19 (1) IN GENERAL.—In making administration,
20 management, or operational decisions that would im-
21 pact the ability of volunteers or a volunteer organi-
22 zation to serve a substantial role on covered trails,
23 the Secretary concerned shall—

24 (A) rather than presuming absolute control
25 over the covered trail by the Federal Govern-

1 ment, encourage the participation of volunteers
2 and volunteer organizations; and

3 (B) to the extent practicable, remedy con-
4 straints on supporting the role of volunteers
5 and volunteer organizations on covered trails.

6 (2) REGULATIONS.—The Secretary and the
7 Secretary of Agriculture shall use the rulemaking
8 authority of section 7(i) of the National Trails Sys-
9 tem Act (16 U.S.C. 1246(i)), the Federal Lands
10 Recreation Enhancement Act (16 U.S.C. 6801 et
11 seq.), and any other applicable law to establish, by
12 regulation, a fee collection and distribution system
13 under which the administrator of a covered trail may
14 collect all permits and fees levied by federally admin-
15 istered areas and State-administered areas traversed
16 by a covered trail, to be remitted to the applicable
17 federally administered area or State-administered
18 area levying the permits and fees.

19 (3) APPLICABLE LAW.—Chapter 10 of title 5,
20 United States Code, shall not apply to the coopera-
21 tive management of a covered trail.

22 (e) AVAILABILITY OF FUNDS.—

23 (1) IN GENERAL.—A covered trail shall be eligi-
24 ble for funds made available for—

25 (A) a unit of the National Trails System;

1 (B) any federally administered area to
2 which the covered trail is assigned; and

3 (C) any federally administered area tra-
4 versed by the covered trail.

5 (2) MULTIPLE AGENCIES.—The location of a
6 covered trail on land managed by 1 Federal agency
7 shall have no impact on the eligibility of the covered
8 trail for funding for any project, planning, volunteer
9 or visitor support effort, or any other component of
10 administering a covered trail by any other Federal
11 agency.

12 (3) LAND AND WATER CONSERVATION FUND.—
13 A covered trail shall be eligible for amounts made
14 available from the Land and Water Conservation
15 Fund established under chapter 2003 of title 54,
16 United States Code.

17 (4) PARTNERSHIPS.—The Secretary concerned
18 shall use interagency and intergovernmental partner-
19 ships to ensure the maximum recreational and con-
20 servation potential of a covered trail is achieved.

21 (f) COOPERATIVE AGREEMENTS.—To the maximum
22 extent practicable, the administrator of a covered trail
23 shall enter into a cooperative agreement under the Na-
24 tional Trails System Act (16 U.S.C. 1244 et seq.), for a

1 term of not longer than 20 years, with a volunteer organi-
2 zation partner, under which—

3 (1) the administrator of the covered trail shall
4 delegate to the volunteer organization partner the
5 authority to operate the covered trail (including the
6 provision of financial assistance for such purpose);

7 (2) operational and management responsibilities
8 with respect to the covered trail shall be shared be-
9 tween the administrator of the covered trail and vol-
10 unteer organization partner, including subsidiaries
11 or delegees of the volunteer organization partner; or

12 (3) any other appropriate arrangement between
13 the administrator of the covered trail and the volun-
14 teer organization partner authorized by the National
15 Trails System Act (16 U.S.C. 1244 et seq.) shall be
16 carried out.

17 (g) COMPREHENSIVE PLANS.—

18 (1) IN GENERAL.—The applicable comprehen-
19 sive plan—

20 (A) shall be incorporated into the manage-
21 ment of each federally administered area tra-
22 versed by the covered trail; and

23 (B) should be appropriately considered by
24 State-administered areas that are traversed by
25 a covered trail.

1 (2) INCORPORATION.—In updating a general
2 management plan or similar unit-level plan applica-
3 ble to a federally administered area traversed by a
4 covered trail, the Secretary concerned shall incor-
5 porate the requirements of any applicable com-
6 prehensive plan.

7 (3) RULEMAKING.—

8 (A) IN GENERAL.—The Secretary con-
9 cerned shall use the rulemaking authority of
10 section 7(i) of the National Trails System Act
11 (16 U.S.C. 1246(i)) to establish, by regulation,
12 a process for addenda to comprehensive plans,
13 as appropriate, to address location- or topic-
14 specific administration, management, or oper-
15 ation issues.

16 (B) REQUIREMENT.—The process estab-
17 lished under subparagraph (A) shall require
18 that any addendum to a comprehensive plan
19 shall be developed after consultation with the
20 applicable land manager and Designated Oper-
21 ational Partner, as applicable.

22 (4) VISITOR CAPACITY.—For a covered trail
23 that is subject to subsection (e) or (f) of section 5
24 of the National Trails System Act (16 U.S.C. 1244),
25 the applicable comprehensive plan shall ensure that

1 the visitor capacity requirement for the covered trail
2 is determined based on visitor capacities for targeted
3 sites, trail segments, or areas of the covered trail.

4 **SEC. 5. IMPROVING COVERED TRAIL PLANNING AND DE-**
5 **VELOPMENT.**

6 (a) VISITOR CAPACITY.—The Secretary concerned
7 shall determine the visitor capacity of a covered trail that
8 is subject to subsection (e) or (f) of section 5 of the Na-
9 tional Trails System Act (16 U.S.C. 1244)—

10 (1) based on the desired conditions of the spe-
11 cific portion or segment of a covered trail rather
12 than the entire covered trail; and

13 (2) in accordance with applicable laws and
14 agency policies, including the applicable comprehen-
15 sive plan.

16 (b) ECONOMIC IMPACT ASSESSMENT.—

17 (1) IN GENERAL.—Not later than 3 years after
18 the date of enactment of this Act, and not less fre-
19 quently than once every 5 years thereafter, the Sec-
20 retary and the Secretary of Agriculture shall identify
21 1 or more methods to assess the economic impact of
22 covered trails on gateway communities.

23 (2) REQUIREMENTS.—In identifying methods
24 under paragraph (1), the Secretary and the Sec-

1 retary of Agriculture shall, to the maximum extent
2 practicable—

3 (A) aggregate and extrapolate economic
4 impact information from existing data, such as
5 data from land units on which covered trails are
6 located;

7 (B) use State and county economic impact
8 information;

9 (C) partner with State and local govern-
10 ments; and

11 (D) leverage the cooperative management
12 systems of the covered trails and local and land-
13 scape-wide partnerships to obtain and process
14 relevant information and report any relevant
15 findings.

16 (c) ADVANCING COVERED TRAIL PLANNING.—

17 (1) FINDINGS.—Congress finds that—

18 (A) the designation of a covered trail is the
19 onset of the long-term development and plan-
20 ning for the covered trail, rather than the con-
21 clusion of those activities; and

22 (B) the cultivation of partnerships, the ac-
23 quisition of land, including interests in land and
24 land use agreements, the conduct of accessible
25 and inclusive interpretation, and the develop-

1 ment of recreational facilities, as appropriate
2 for covered trails, are needed to advance the
3 purposes of the National Trails System Act (16
4 U.S.C. 1241 et seq.) to meet the ever-expand-
5 ing outdoor recreation needs of the United
6 States.

7 (2) REPORTS.—The Secretary and the Sec-
8 retary of Agriculture, acting jointly, shall submit to
9 the Committee on Energy and Natural Resources of
10 the Senate and the Committee on Natural Resources
11 of the House of Representatives—

12 (A) not later than 3 years after the date
13 of enactment of this Act, a report that describes
14 the successes and challenges in developing and
15 planning covered trails; and

16 (B) not later than 5 years after the date
17 of enactment of this Act, a report that assesses
18 the desired conditions and use of facilities on
19 each covered trail with respect to—

20 (i) visitor usage of specific segments
21 or sites of the covered trail, including the
22 extent to which visitors use the covered
23 trail in groups of not fewer than 10 indi-
24 viduals;

1 (ii) proposed priority segments or
2 sites for additional facilities or protection
3 of additional land or resources identified
4 by relevant cooperative management part-
5 ners; and

6 (iii) any activities that the Secretary
7 and the Secretary of Agriculture determine
8 are necessary to advance the development
9 of and planning for the covered trail con-
10 sistent with the partnership nature of cov-
11 ered trails.

12 (3) COMMUNITY ENGAGEMENT.—In preparing
13 the reports under paragraph (2), the Secretary and
14 the Secretary of Agriculture shall consult with—

15 (A) communities located in the vicinity of
16 the proposed segments and sites described in
17 paragraph (2)(B)(ii);

18 (B) federally recognized Indian Tribes;

19 (C) any Federal and State agencies that
20 manage land traversed by covered trails; and

21 (D) Designated Operational Partners and
22 other cooperative management partners of cov-
23 ered trails.

1 (d) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated to the Secretary and
3 the Secretary of Agriculture—

4 (1) for each of fiscal years 2026 through 2031,
5 such sums as are necessary—

6 (A) to carry out subsection (a);

7 (B) to identify the methods under sub-
8 section (b); and

9 (C) to prepare the reports required under
10 subsection (c); and

11 (2) for each of fiscal years 2026 through 2031,
12 through programs determined to be appropriate by
13 the Secretary and the Secretary, such sums as are
14 necessary for the acquisition, construction, and de-
15 velopment of facilities (including the acquisition of
16 land or interests in land) for covered trails.