

MODERNIZING ACCESS TO OUR PUBLIC LAND ACT

MARCH 15, 2022.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. GRIJALVA, from the Committee on Natural Resources,
submitted the following

R E P O R T

[To accompany H.R. 3113]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 3113) to require the Secretary of the Interior, the Secretary of Agriculture, and the Assistant Secretary of the Army for Civil Works to digitize and make publicly available geographic information system mapping data relating to public access to Federal land and waters for outdoor recreation, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Modernizing Access to our Public Land Act”, or “MAPLand Act”.

SEC. 2. DEFINITIONS.

In this Act:

- (1) FEDERAL LAND.—The term “Federal land” means any land or water managed by a Federal land management agency.
- (2) FEDERAL LAND MANAGEMENT AGENCY.—The term “Federal land management agency” means—
 - (A) the Bureau of Reclamation;
 - (B) the National Park Service;
 - (C) the Bureau of Land Management;
 - (D) the United States Fish and Wildlife Service;
 - (E) the Forest Service; and
 - (F) the Corps of Engineers.
- (3) SECRETARIES.—The term “Secretaries” means—
 - (A) the Secretary of Agriculture;
 - (B) the Secretary of the Interior; and
 - (C) the Secretary of the Army, acting through the Assistant Secretary of the Army for Civil Works.

SEC. 3. INTERAGENCY DATA STANDARDIZATION.

Not later than 30 months after the date of enactment of this Act, the Secretaries shall jointly develop and adopt interagency standards to ensure compatibility and interoperability among applicable Federal databases with respect to the collection and dissemination of outdoor recreation data relating to Federal land.

SEC. 4. DATA CONSOLIDATION, DIGITIZATION, AND PUBLICATION.

(a) **IN GENERAL.**—Not later than 4 years after the date of enactment of this Act, each of the Secretaries, to the maximum extent practicable, shall digitize and make publicly available on the website of the Department of the Interior, the Forest Service, and the Corps of Engineers, as applicable, geographic information system mapping data that includes, with respect to the Federal land administered by the relevant Secretary—

(1) all Federal interests, including easements, reservations, and rights-of-way, in private land—

(A) to which the Federal Government does not have a fee title interest; and

(B) that are open to public recreational use;

(2) status information with respect to whether Roads and Trails on the Federal land are open or closed;

(3) the dates on which Roads and Trails on the Federal land are seasonally opened and closed;

(4) the types of vehicles and recreational uses that are allowed on each segment of the Roads and Trails on the Federal land, including the permissibility of—

(A) non-mechanized transportation;

(B) off-highway vehicles;

(C) motorcycles;

(D) non-motorized bicycles;

(E) electric bicycles; and

(F) passing vehicles;

(5) the boundaries of areas where hunting, weapon discharge, or recreational shooting is regulated or closed on the Federal land; and

(6) the boundaries of any portion of a body of water on the Federal land that—

(A) is closed to entry;

(B) is closed to watercraft;

(C) has horsepower limitations or gasoline motor restrictions for watercraft; or

(D) nothing in this subpart requires the Federal land management agency to collect and compile information on watercraft restrictions imposed by other entities.

(b) **UPDATES.**—

(1) **IN GENERAL.**—The Secretaries shall biennially update the data described in subsection (a).

(2) **PUBLIC EVALUATION OF ACCURACY.**—The Secretaries shall include on each website referred to in subsection (a), as applicable, a point of contact to allow members of the public to confirm or dispute the accuracy of the information described in that subsection.

(3) **EFFECT.**—Geographic information system data made publicly available pursuant to this section should not disclose information regarding the location, character, and ownership of historic resources and the nature and location of archaeological resources, consistent with the National Historic Preservation Act, (54 U.S.C. 307103), and the Archaeological Resources Protection Act, (16 U.S.C. 470hh).

SEC. 5. REPORTS.

On an annual basis—

(1) each of the Secretary of the Interior and the Secretary of Agriculture 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 on the progress made by the Secretary of the Interior and the Secretary of Agriculture, respectively, toward meeting the requirements of section 5; and

(2) the Secretary of the Army, acting through the Assistant Secretary of the Army for Civil Works, shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the progress made by the Secretary of the Army, acting through the Assistant Secretary of the Army for Civil Works, toward meeting the requirements of section 5.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated—

- (1) to the Secretary of the Interior to carry out this Act—
 - (A) \$2,500,000 for fiscal year 2022; and
 - (B) \$5,500,000 for each of fiscal years 2023, 2024, and 2025;
- (2) to the Secretary of Agriculture to carry out this Act—
 - (A) \$2,500,000 for fiscal year 2022; and
 - (B) \$5,500,000 for each of fiscal years 2023, 2024, and 2025; and
- (3) to the Secretary of the Army to carry out this Act—
 - (A) \$1,500,000 for fiscal year 2022; and
 - (B) \$2,500,000 for each of fiscal years 2023 and 2024.

SEC. 7. SAVINGS.

Under this Act, the Secretaries shall not publicize or make available information on unauthorized or illegal Roads and Trails.

PURPOSE OF THE BILL

The purpose of H.R. 3113 is to require the Secretary of the Interior, the Secretary of Agriculture, and the Assistant Secretary of the Army for Civil Works to digitize and make publicly available geographic information system mapping data relating to public access to Federal land and waters for outdoor recreation.

BACKGROUND AND NEED FOR LEGISLATION

H.R. 3113 would help enhance access to the nation's outdoor recreational opportunities by digitizing and standardizing mapping information, such as access points and permissible uses, of federal public lands.

Specifically, the bill directs federal land management agencies and the U.S. Army Corps of Engineers to jointly develop and adopt interagency standards to ensure compatibility and interoperability among federal databases for the collection and dissemination of outdoor recreation data related to federal lands. The bill stipulates that maps must be digitized and published with geographic information system (GIS) mapping data that includes:

- federal interests, including easements and rights-of-way, in private land, that are open to public recreational use;
- status information as to whether roads and trails on federal land are open or closed;
- the dates on which such roads and trails are seasonally opened and closed;
- the types of vehicles and recreational uses allowed on each segment of such roads and trails;
- the boundaries of areas on federal land where hunting or recreational shooting is regulated or closed; and
- the boundaries of any portion of a body of water on federal land that is closed to entry, is closed to watercraft, or has horsepower limitations for watercraft.

The bill would require biennial updates to the available data.

Currently, more than 9.52 million acres of land in the American West lack permanent and legal access points for public use, and information on these lands is still kept on paper files. H.R. 3113 would build upon the investments made in the John D. Dingell, Jr. Conservation, Management, and Recreation Act (P.L. 116–9) and the Great American Outdoors Act (P.L. 116–152) to help ensure that hunters, anglers, and all Americans can more easily find information and resources to help facilitate public lands access.

COMMITTEE ACTION

H.R. 3113 was introduced on May 11, 2021, by Representative Blake Moore (R-UT). The bill was referred to the Committee on Natural Resources, and in addition to the Committee on Agriculture and the Committee on Transportation and Infrastructure. Within the Committee on Natural Resources, the bill was referred to the Subcommittee on National Parks, Forests, and Public Lands and the Subcommittee on Water, Oceans, and Wildlife. On June 8, 2021, the Subcommittee on National Parks, Forests, and Public Lands held a hearing on the bill. On July 14, 2021, the Natural Resources Committee met to consider the bill. The Subcommittees were discharged by unanimous consent. Rep. Moore offered an amendment designated Moore #1. The amendment was agreed to by unanimous consent, and the bill, as amended, was adopted and ordered favorably reported to the House of Representatives by unanimous consent.

HEARINGS

For the purposes of clause 3(c)(6) of House Rule XIII, the following hearing was used to develop or consider this measure: hearing by the Subcommittee on National Parks, Forests, and Public Lands held on June 8, 2021.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Natural Resources' oversight findings and recommendations are reflected in the body of this report.

COMPLIANCE WITH HOUSE RULE XIII AND CONGRESSIONAL BUDGET ACT

1. *Cost of Legislation and the Congressional Budget Act.* With respect to the requirements of clause 3(c)(2) and (3) of rule XIII of the Rules of the House of Representatives and sections 308(a) and 402 of the Congressional Budget Act of 1974, the Committee has received the following estimate for the bill from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 15, 2021.

Hon. RAÚL M. GRIJALVA,
*Chairman, Committee on Natural Resources,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 3113, the MAPLand Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Janani Shankaran.

Sincerely,

PHILLIP L. SWAGEL,
Director.

Enclosure.

H.R. 3113, MAPLand Act			
As ordered reported by the House Committee on Natural Resources on July 14, 2021			
By Fiscal Year, Millions of Dollars	2021	2021-2026	2021-2031
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	0	45	45
Statutory pay-as-you-go procedures apply?	No	Mandate Effects	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2032?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No

H.R. 3113 would authorize the appropriation of specific amounts totaling about \$45 million over the 2022–2025 period for the Department of Agriculture, Department of the Interior, and the Army Corps of Engineers to develop and adopt interagency standards on outdoor recreation data and to make publicly available mapping data on federal lands open for recreation.

For this estimate, CBO assumes that the legislation will be enacted by the end of calendar year 2021. Based on historical spending patterns for similar activities and assuming that the authorized amounts will be appropriated each year, CBO estimates that implementing H.R. 3113 would cost \$45 million over the 2021–2026 period.

The costs of the legislation, detailed in Table 1, fall within budget function 300 (natural resources and environment).

TABLE 1.—ESTIMATED INCREASES IN SPENDING SUBJECT TO APPROPRIATION UNDER H.R. 3113

	By fiscal year, millions of dollars—						
	2021	2022	2023	2024	2025	2026	2021–2026
Department of Agriculture							
Authorization	0	3	6	6	6	0	19
Estimated Outlays	0	2	5	6	6	1	19
Department of the Interior							
Authorization	0	3	6	6	6	0	19
Estimated Outlays	0	2	5	6	6	1	19
Army Corps of Engineers							
Authorization	0	2	3	3	0	0	7
Estimated Outlays	0	1	2	3	1	0	7
Total Changes							
Authorization	0	7	14	14	11	0	45
Estimated Outlays	0	5	12	14	12	2	45

Components may not sum to totals because of rounding.

The CBO staff contact for this estimate is Janani Shankaran. The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.

2. *General Performance Goals and Objectives.* As required by clause 3(c)(4) of rule XIII, the general performance goals and objectives of this bill are to require the Secretary of the Interior, the Secretary of Agriculture, and the Assistant Secretary of the Army

for Civil Works to digitize and make publicly available geographic information system mapping data relating to public access to Federal land and waters for outdoor recreation.

EARMARK STATEMENT

This bill does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined under clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives.

UNFUNDED MANDATES REFORM ACT STATEMENT

According to CBO, this bill contains no unfunded mandates as defined by the Unfunded Mandates Reform Act.

EXISTING PROGRAMS

This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

PREEMPTION OF STATE, LOCAL, OR TRIBAL LAW

Any preemptive effect of this bill over state, local, or tribal law is intended to be consistent with the bill's purposes and text and the Supremacy Clause of Article VI of the U.S. Constitution.

CHANGES IN EXISTING LAW

If enacted, this bill would make no changes to existing law.

COMMITTEE CORRESPONDENCE



Committee on Transportation and Infrastructure
U.S. House of Representatives
Washington DC 20515

Peter A. DeFazio
Chair
Katherine W. Dedrick
Staff Director

Sam Graves
Ranking Member
Paul J. Sass
Republican Staff Director

March 10, 2022

The Honorable Raúl Grijalva
Chair, Committee on Natural Resources
U.S. House of Representatives
1324 Longworth House Office Building
Washington, DC 20515

Dear Chair Grijalva:

I write concerning *H.R. 3113, Modernizing Access to Our Public Land Act*. There are certain provisions in this legislation that fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

In order to expedite floor consideration of H.R. 3113, the Committee on Transportation and Infrastructure agrees to forgo action on the bill. However, this is conditional on our mutual understanding that forgoing consideration of the bill would not prejudice the Committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation that fall within the Committee's Rule X jurisdiction. I also request that you urge the Speaker to name members of this Committee to any conference committee which is named to consider such provisions.

Please place a copy of this letter and your response acknowledging our jurisdictional interest into the *Congressional Record* during consideration of H.R. 3113 on the House floor. Thank you again, and I look forward to continuing to work collaboratively with the Committee on Natural Resources.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter A. DeFazio".

Peter A. DeFazio
Chair

cc: The Honorable Sam Graves
The Honorable Bruce Westerman

RAÚL M. GRIJALVA OF ARIZONA
CHAIRMAN

DAVID WATKINS
STAFF DIRECTOR

U.S. House of Representatives
Committee on Natural Resources
Washington, DC 20515

BRUCE WESTERMAN OF ARKANSAS
RANKING REPUBLICAN

VIVIAN MOEGLIN
REPUBLICAN STAFF DIRECTOR

March 11, 2022

The Honorable Peter A. DeFazio
Chair
Committee on Transportation and Infrastructure
U.S. House of Representatives
2134 Rayburn House Office Building
Washington, DC 20515

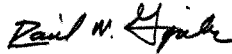
Dear Chair DeFazio,

I write to you concerning H.R. 3113, the "Modernizing Access to our Public Land Act," or "MAPLand Act".

I appreciate your willingness to work cooperatively on this legislation. I recognize that the bill contains provisions that fall within the jurisdiction of the Committee on Transportation and Infrastructure. I acknowledge that your Committee will not formally consider H.R. 3113 and agree that the inaction of your Committee with respect to the bill does not waive any future jurisdictional claim over the matters contained in the bill that fall within your Committee's Rule X jurisdiction. I am pleased to support your request to name members of the Transportation and Infrastructure to any conference committee to consider such provisions.

I will ensure that our exchange of letters is included in the *Congressional Record* during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work with you as this measure moves through the legislative process.

Sincerely,



Raúl M. Grijalva
Chair
House Natural Resources Committee

Cc: The Honorable Bruce Westerman, Ranking Member, Committee on Natural Resources
The Honorable Sam Graves, Ranking Member, Committee on Transportation and Infrastructure
The Honorable Jason Smith, Parliamentarian

DAVID SCOTT, GEORGIA,
CHAIRMAN
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CYNTHIA AXNE, IOWA
KIM SCHRIER, WASHINGTON
JIMMY PANETTA, CALIFORNIA
SANFORD D. BISHOP, JR., GEORGIA

U.S. House of Representatives
Committee on Agriculture
Room 1301, Longworth House Office Building
Washington, DC 20515-6001
(202) 225-2171

March 14, 2022

GLENN THOMPSON, PENNSYLVANIA,
RANKING MEMBER
AUSTIN SCOTT, GEORGIA
ERIC A. "RICK" CRAWFORD, ARKANSAS
SCOTT DELANEY, TENNESSEE
VICKY HARTZLER, MISSOURI
DODIG LAMALFA, CALIFORNIA
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ANNE SIMMONS,
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PARISH BRADEN,
MINORITY STAFF DIRECTOR

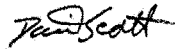
The Honorable Raul M. Grijalva
Chairman, Committee on Natural Resources
U.S. House of Representatives
1324 Longworth House Office Building
Washington, D.C. 20515

Dear Mr. Chairman:

This letter confirms our mutual understanding regarding H.R. 3113, the Modernizing Access to Our Public Land Act." Thank you for collaborating with the Committee on Agriculture.

Our Committee will forego consideration of this bill so that it can proceed expeditiously to the House floor. However, the Committee on Agriculture reserves the right to seek the appointment of conferees to any House-Senate conference and requests consultation on any remaining matters within our jurisdiction.

Sincerely,



David Scott
Chairman

cc:

The Honorable Glenn 'GT' Thompson, Ranking Member
The Honorable Nancy Pelosi, Speaker
The Honorable Jason Smith, Parliamentarian

RAÚL M. GRIJALVA OF ARIZONA
CHAIRMAN

BRUCE WESTERMAN OF ARKANSAS
RANKING REPUBLICAN

DAVID WATKINS
STAFF DIRECTOR

VIVIAN MOEGLEIN
REPUBLICAN STAFF DIRECTOR

U.S. House of Representatives
Committee on Natural Resources
Washington, DC 20515

March 14, 2022

The Honorable David Scott
Chair
Committee on Agriculture
U.S. House of Representatives
1301 Longworth House Office Building
Washington, DC 20515

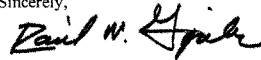
Dear Chair Scott,

I write to you concerning H.R. 3113, the "Modernizing Access to our Public Land Act."

I appreciate your willingness to work cooperatively on this legislation. I recognize that the bill contains provisions that fall within the jurisdiction of the Committee on Agriculture. I acknowledge that your Committee will not formally consider H.R. 3113 and agree that the inaction of your Committee with respect to the bill does not waive any future jurisdictional claim over the matters contained in the bill that fall within your Committee's Rule X jurisdiction. Additionally, the Committee on Natural Resources confirms our mutual understanding that the Committee on Agriculture will be appropriately consulted and involved as the bill or similar legislation moves forward so that you may address any remaining issues within your Rule X jurisdiction. I am pleased to support any request to name members of the Committee on Agriculture to any conference committee to consider such provisions.

I will ensure that our exchange of letters is included in the *Congressional Record* during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work with you as this measure moves through the legislative process.

Sincerely,



Raúl M. Grijalva
Chair
House Natural Resources Committee

Cc: The Honorable Nancy Pelosi, Speaker of the House
The Honorable Bruce Westerman, Ranking Member, Committee on Natural Resources
The Honorable 'GT' Thompson, Ranking Member, Committee on Agriculture
The Honorable Jason Smith, Parliamentarian

SUPPLEMENTAL, MINORITY, ADDITIONAL, OR DISSENTING VIEWS
None.

