

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To improve the bill.

**IN THE SENATE OF THE UNITED STATES—118th Cong., 1st Sess.**

**S. 873**

To improve recreation opportunities on, and facilitate greater access to, Federal public land, and for other purposes.

Referred to the Committee on \_\_\_\_\_ and  
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENTS intended to be proposed by \_\_\_\_\_

Viz:

1       On page 26, lines 12 and 13, strike “that has ade-  
2       quate snowfall for over-snow vehicle use to occur” and in-  
3       sert “on which over-snow vehicle use occurs, in accordance  
4       with existing law”.

5       On page 26, line 18, insert “seek to” after “shall”.

6       On page 27, between lines 2 and 3, insert the fol-  
7       lowing:

8       (e) SAVINGS CLAUSE.—Nothing in this section pro-  
9       hibits a lawful use, including a motorized or nonmotorized  
10      use, on Federal recreational lands and waters adminis-

1 tered by the Chief of the Forest Service or the Director  
2 of the Bureau of Land Management, if the Secretary con-  
3 cerned fails to meet a timeline established under this sec-  
4 tion.

5 On page 124, strike lines 7 through 9 and insert the  
6 following:

7 “(C) is a news-gathering activity, unless  
8 the news-gathering activity—

9 “(i) involves more than 8 individuals;  
10 or

11 “(ii) does not meet each of the re-  
12 quirements described in paragraph (5).

13 On page 126, line 11, strike “and”.

14 On page 126, line 12, strike the period at the end  
15 and insert “; and”.

16 On page 126, between lines 12 and 13, insert the fol-  
17 lowing:

18 “(iv) is not a filming or still photog-  
19 raphy activity described in subparagraph  
20 (B) or (C) of paragraph (2).

1       On page 127, line 3, insert “(2)(C)(ii),” after  
2 “(2)(A)(ii),”.

3       On page 127, line 4, strike “(7)(C)” and insert  
4 “(8)(C)”.

5       On page 129, between lines 3 and 4, insert the fol-  
6 lowing:

7               “(6) CALCULATIONS WITH RESPECT TO NUM-  
8 BER OF INDIVIDUALS.—

9               “(A) IN GENERAL.—For the purposes of  
10 calculating the number of individuals under  
11 paragraphs (2), (3), and (4), the Secretary  
12 shall only include an individual described in  
13 subparagraph (B) that is conducting a filming  
14 or still photography activity or that is carrying  
15 out or participating as part of a team or crew  
16 in a filming or still photography activity at the  
17 same time in the same System unit.

18               “(B) DESCRIPTION OF INDIVIDUAL.—An  
19 individual referred to in subparagraph (A) is a  
20 photographer, videographer, director, model,  
21 actor, helper, assistant, or any other individual  
22 who is purposefully or knowingly on-site at the

1           System unit as a part of the team or crew in  
2           a filming or still photography activity.

3           On page 129, line 4, strike “(6)” and insert “(7)”.

4           On page 129, line 10, strike “(7)” and insert “(8)”.

5           On page 130, line 23, strike “(7)(A)” and insert  
6 “(8)(A)”.

7           On page 134, line 6, strike the closing quotation  
8 mark and period at the end.

9           On page 134, between lines 6 and 7, insert the fol-  
10 lowing:

11           “(e) GUIDANCE.—Not later than 2 years after the  
12 date of enactment of the America’s Outdoor Recreation  
13 Act of 2023, the Secretary shall issue guidance to imple-  
14 ment this section, including establishing a civil penalty for  
15 failing to obtain a de minimis use authorization required  
16 under subsection (a)(3) or a permit required under sub-  
17 section (a)(4).”.

18           On page 135, strike lines 22 through 24 and insert  
19 the following:

1                   “(C) is a news-gathering activity, unless  
2                   the news-gathering activity—

3                   “(i) involves more than 8 individuals;

4                   or

5                   “(ii) does not meet each of the re-  
6                   quirements described in paragraph (5).

7                   On page 138, line 7, strike “and”.

8                   On page 138, line 8, strike the period at the end and  
9                   insert “; and”.

10                  On page 138, between lines 8 and 9, insert the fol-  
11                  lowing:

12                                 “(iv) is not a filming or still photog-  
13                                 raphy activity described in subparagraph  
14                                 (B) or (C) of paragraph (2).

15                  On page 138, line 24, insert “(2)(C)(ii),” after  
16                  “(2)(A)(ii),”.

17                  On page 138, line 25, strike “(7)(C)” and insert  
18                  “(8)(C)”.

1       On page 141, between lines 2 and 3, insert the fol-  
2       lowing:

3               “(6) CALCULATIONS WITH RESPECT TO NUM-  
4       BER OF INDIVIDUALS.—

5               “(A) IN GENERAL.—For the purposes of  
6       calculating the number of individuals under  
7       paragraphs (2), (3), and (4), the Secretary con-  
8       cerned shall only include an individual described  
9       in subparagraph (B) that is conducting a film-  
10      ing or still photography activity or that is car-  
11      rying out or participating as part of a team or  
12      crew in a filming or still photography activity at  
13      the same time in the same Federal land man-  
14      agement unit.

15              “(B) DESCRIPTION OF INDIVIDUAL.—An  
16      individual referred to in subparagraph (A) is a  
17      photographer, videographer, director, model,  
18      actor, helper, assistant, or any other individual  
19      who is purposefully or knowingly on-site at the  
20      Federal land management unit as a part of the  
21      team or crew in a filming or still photography  
22      activity.

23       On page 141, line 3, strike “(6)” and insert “(7)”.

1        On page 141, line 9, strike “(7)” and insert “(8)”.

2        On page 142, line 22, strike “(7)(A)” and insert  
3        “(8)(A)”.

4        On page 146, between lines 9 and 10, insert the fol-  
5        lowing:

6        “(e) GUIDANCE.—Not later than 2 years after the  
7        date of enactment of the America’s Outdoor Recreation  
8        Act of 2023, each of the Secretary of the Interior and the  
9        Secretary of Agriculture shall issue guidance to implement  
10       this section, including establishing a civil penalty for fail-  
11       ing to obtain a de minimis use authorization required  
12       under subsection (a)(3) or a permit required under sub-  
13       section (a)(4).

14       On page 146, line 10, strike “(e)” and insert “(f)”.