



September 19, 2023

The Honorable Joe Neguse

The Honorable Tom Tiffany
Chairperson, Subcommittee on Federal
Lands House Committee on Natural
Resources U.S. House of Representatives
Washington, DC 20515
Ranking Member, Subcommittee on Federal

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Chairperson Tiffany, Ranking Member Neguse, and members of the House Committee on Natural Resources Subcommittee on Federal Lands:

We, the undersigned members and partners of the [Outdoors Alliance for Kids](#) (OAK) thank you for prioritizing legislation that improves access to the outdoors for children, youth and families. We write to express our views in support of H.R. 3107, the Improving Outdoor Recreation Coordination Act sponsored by Mr. Neguse and Mr. Lawler, although we recommend a series of changes to improve the bill. Our recommendations are set forth below.

OAK is a national strategic partnership of more than 100 businesses and organizations representing more than 60 million Americans with a common interest in getting young people outdoors playing and learning in nature. Our members and supporters believe that the need to increase access to the outdoors has never been more apparent.

OAK supports H.R. 3107 in its goal of making permanent the Federal Interagency Council on Outdoor Recreation (FICOR). FICOR is a council made up of eight federal agencies that manage recreation on federal lands and waters. The Council was originally chartered during a previous administration and was reestablished through administrative action in 2022. Passing legislation that makes the Council permanent will ensure that the Council is able to work together to improve recreational access over the long term.

Although we support legislation making FICOR permanent, we have several concerns with the bill as it is currently written. These concerns need to be addressed for the FICOR to function effectively and achieve its goals. Our concerns are as follows:

1. H.R. 3107 places the FICOR under the authority of the Department of the Interior. This is inconsistent with the FICOR's current structure and mode of operation under which all four of the member departments have equal authority over the council. This balanced operating structure is essential to ensure equal representation and commitment from each of the FICOR members. We recommend that the Committee amend the language in H.R. 3107 to grant all member agencies equal authority over the FICOR.

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2. The bill defines “federal land management agency” and “federal recreational lands and waters” by cross-referencing definitions in the Federal Lands Recreation Enhancement Act, 16 U.S.C. § 6801 *et seq.* (FLREA). These definitions should not be used in H.R. 3107 because they exclude three of the eight FICOR member agencies – the Bureau of Indian Affairs, the National Oceanic and Atmospheric Administration, and the United States Army Corps of Engineers. We recommend that the Committee formulate definitions for these terms that are specific to H.R. 3107 and that include all FICOR member agencies.
3. The Department of Commerce agency identified as a FICOR member in section (b)(1) of the bill is different from the current FICOR membership and is not the right agency to represent Commerce on the FICOR. Section (b)(1) identifies the National Marine Fisheries Service as a FICOR member. This is the wrong agency. The National Oceanic and Atmospheric Administration should be the identified Department of Commerce FICOR representative.
4. In addition to the eight federal land and water management agencies, Congress should consider assigning a formal role to two additional agencies within the federal government.
 - a. Assigning a role to the Department of Agriculture’s Under Secretary for Rural Development would recognize that outdoor recreation is an important type of rural development that can be cost effective because it does not generally rely on heavily built infrastructure. Bringing USDA Rural Development into the FICOR community should help expand rural development opportunities relating to sustainable outdoor recreation activities.
 - b. Working through its Office of Community Revitalization, EPA runs a technical assistance program to support the recreation economy in rural communities. EPA also manages the Urban Waters Federal Partnership program. Through these programs, EPA plays an important role in the nation’s recreation economy. To recognize this, Congress should consider assigning EPA a formal role within the Federal Interagency Council on Outdoor Recreation.
5. FICOR representatives have reported to us that rotating the FICOR leadership on an annual basis provides too short of a time frame for effective management of the Council. We recommend amending (b)(4) to rotate leadership among the Council members on an interval to be determined by the Council and not to exceed 3 years.
6. The Additional Participants provision in section (b)(2) of the bill identifies specific federal departments and agencies that may be invited to participate in the FICOR meetings and



activities. We think this enumerated list is unwise and unnecessary. The goal of collaboration with additional federal agencies can be achieved by using language from section 5(e) of the Memorandum of Understanding establishing the existing FICOR.

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This MOU language broadly welcomes participation from other federal entities as the FICOR sees fit and does not limit the agencies with which the FICOR may collaborate.

7. We recommend that section (b)(3) be revised to address two problems with the bill. First, the bill does not explicitly call out collaboration with Tribal, Territorial or local governments, which is an important part of the Council's work. Second, we believe that section (c)(8), which identifies the FICOR's work with partners outside of the federal government, is too vague and is out of place in its current location in the bill. To address these issues, we recommend expanding section (b)(3) "State Coordination" to read as follows:

(3) Other Coordination. --In determining additional participants under this subsection, the Secretaries may –

(A) invite participation in the Council's meetings or other activities from representatives of State, Tribal, Territorial, and local governments.

(B) build partnerships between the parties and a range of private, public, Tribal, and non-profit entities.

8. Section (c)(1) specifically calls out the implementation of the FLREA as one of the purposes of the Council's work. As explained above, three of the FICOR agencies are not covered by FLREA. We recommend revising this statement to cover existing and future policies more broadly in a manner similar to the FICOR MOU. This can be accomplished by changing the language of section (c)(1) to read:

(1) recreation management policies across Federal agencies, including implementation of new and existing recreation legislation;

9. Finally, it is essential that Congress identify a sustainable and reliable funding source for FICOR operations and operational capacity. Without it, the Council will not succeed. Expecting the agencies to absorb the operating costs of the Council without an identified funding source is simply unrealistic. Congress should address this issue in H.R. 3107.

For questions related to this views statement, contact Paul Sanford, OAK Vice Chair and Director of Policy Analysis at The Wilderness Society. Mr. Sanford can be reached at psanford@tw.s.org or at 202.429.2615.

Thank you for the opportunity to submit our views on H.R. 3107. We look forward to working



with the Committee to improve§ and pass this vital piece of recreation legislation.

Sincerely,

American Hiking Society
Appalachian Trail Conservancy
Association of Outdoor Recreation
Children & Nature Network
Kids Speak for Parks
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Latino Outdoors
National Recreation and Park Association
REI Co-op
Sierra Club
The Wilderness Society