

117TH CONGRESS
2D SESSION

H. R. 7399

To amend the Land Between the Lakes Protection Act of 1998 to clarify the administration of the Land Between the Lakes National Recreation Area, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 5, 2022

Mr. COMER (for himself and Mr. GREEN of Tennessee) introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Land Between the Lakes Protection Act of 1998 to clarify the administration of the Land Between the Lakes National Recreation Area, 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 “Land Between the
5 Lakes Recreation and Heritage Act” or the “LBL Recre-
6 ation and Heritage Act”.

1 **SEC. 2. ADMINISTRATION OF THE LAND BETWEEN THE**
2 **LAKES NATIONAL RECREATION AREA.**

3 (a) DEFINITIONS.—Section 502 of the Land Between
4 the Lakes Protection Act of 1998 (16 U.S.C. 460*lll*) is
5 amended—

6 (1) in paragraph (5)(B)—

7 (A) in clause (viii), by striking “and” after
8 the semicolon at the end;

9 (B) in clause (ix), by striking the period at
10 the end and inserting “; and”; and

11 (C) by adding at the end the following:

12 “(x) division A of subtitle III of title
13 54, United States Code (formerly known
14 as the ‘National Historic Preservation
15 Act’).”;

16 (2) by redesignating paragraphs (11) through
17 (15) as paragraphs (12) through (16), respectively;
18 and

19 (3) by inserting after paragraph (10) the fol-
20 lowing:

21 “(11) QUALIFIED RESIDENT OR RELATIVE.—
22 The term ‘qualified resident or relative’ means—

23 “(A) a former resident of the area within
24 the Recreation Area or the spouse of a former
25 resident of that area; or

1 “(B) a widow, widower, or lineal descend-
2 ant of an individual buried in a cemetery lo-
3 cated in the Recreation Area.”.

4 (b) ESTABLISHMENT.—Section 511(b) of the Land
5 Between the Lakes Protection Act of 1998 (16 U.S.C.
6 460*lll*–11(b)) is amended by striking paragraph (3) and
7 inserting the following:

8 “(3) STATUS OF UNIT.—The Secretary shall
9 administer the Recreation Area as a separate unit of
10 the National Forest System.”.

11 (c) ADVISORY BOARD.—Section 522 of the Land Be-
12 tween the Lakes Protection Act of 1998 (16 U.S.C.
13 460*lll*–22) is amended—

14 (1) in subsection (b)—

15 (A) in the matter preceding paragraph (1),
16 by striking “17” and inserting “13”;

17 (B) by striking paragraphs (4) and (5);

18 (C) in paragraph (3), by adding “and”
19 after the semicolon at the end; and

20 (D) by redesignating paragraph (6) as
21 paragraph (4);

22 (2) in subsection (c), by striking paragraph (2)
23 and inserting the following:

1 “(2) NONCONSECUTIVE TERMS.—Members of
2 the Advisory Board may serve multiple terms, but
3 may not serve consecutive terms.”;

4 (3) in subsection (f)—

5 (A) in the matter preceding paragraph (1),
6 by striking “may advise” and inserting “shall
7 advise and partner with”;

8 (B) in paragraph (1), by striking “and”
9 after the semicolon at the end;

10 (C) in paragraph (2), by striking the pe-
11 riod at the end and inserting a semicolon; and

12 (D) by adding at the end the following:

13 “(3) developing an annual work plan for recre-
14 ation and environment education areas in the Recre-
15 ation Area, including the heritage program, with the
16 nonappropriated amounts in the Land Between the
17 Lakes Management Fund;

18 “(4) developing an annual forest management
19 and harvest plan for the Recreation Area; and

20 “(5) the balance and status of the Land Be-
21 tween the Lakes Management Fund.”; and

22 (4) in subsection (g)—

23 (A) in paragraph (1), by striking “bian-
24 nually” and inserting “twice each year”;

1 (B) in paragraph (3), by inserting “, on a
2 public website of the Department of Agri-
3 culture,” before “and by”; and

4 (C) by adding at the end the following:

5 “(4) MINUTES.—The chairperson of the Advi-
6 sory Board shall publish the minutes of each meet-
7 ing of the Advisory Board on a public website of the
8 Department of Agriculture.”.

9 (d) FEES.—Section 523(a) of the Land Between the
10 Lakes Protection Act of 1998 (16 U.S.C. 460*lll*–23(a))
11 is amended by striking “may charge reasonable fees” and
12 inserting “shall charge reasonable fees, as determined by
13 the Advisory Board,”.

14 (e) DISPOSITION OF RECEIPTS.—Section 524 of the
15 Land Between the Lakes Protection Act of 1998 (16
16 U.S.C. 460*lll*–24) is amended by striking subsection (b)
17 and inserting the following:

18 “(b) USE.—Amounts in the Land Between the Lakes
19 Management Fund—

20 “(1) shall be available to the Secretary until ex-
21 pended, without further appropriation, to perform
22 new work or deferred maintenance in the Recreation
23 Area; and

24 “(2) shall not be available for the payment of
25 salaries or other expenses.”.

1 (f) COOPERATIVE AUTHORITIES AND GIFTS.—Sec-
2 tion 526 of the Land Between the Lakes Protection Act
3 of 1998 (16 U.S.C. 460*ll*–26) is amended by adding at
4 the end the following:

5 “(c) MEMORANDA OF UNDERSTANDING.—The Sec-
6 retary is encouraged, for purposes of carrying out this
7 Act—

8 “(1) to enter into memoranda of understanding
9 with State or local government entities, including
10 law enforcement, as appropriate, to clarify jurisdic-
11 tional matters, such as road management, policing,
12 and other functions that are typically performed by
13 the entity on non-Federal land; and

14 “(2) to make available on a public website of
15 the Department of Agriculture any memoranda of
16 understanding entered into under paragraph (1).”.

17 (g) CEMETERIES.—Section 528 of the Land Between
18 the Lakes Protection Act of 1998 (16 U.S.C. 460*ll*–28)
19 is amended—

20 (1) by striking “The Secretary” and inserting
21 the following:

22 “(a) IN GENERAL.—The Secretary”; and

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

24 “(b) LAND FOR PLOTS FOR QUALIFIED RESIDENTS
25 OR RELATIVES.—

1 “(1) REQUESTS.—The Secretary, on request
2 from a qualified resident or relative or a cemetery
3 association, shall grant additional land for the ex-
4 pansion of existing cemeteries within the Recreation
5 Area to allow for the burial of qualified residents or
6 relatives.

7 “(2) EXPENSES.—Any expenses required to
8 move border fences or markers due to an expansion
9 under paragraph (1) shall be the responsibility of
10 the person making the request under that para-
11 graph.”.

12 (h) RESOURCE MANAGEMENT.—Section 529 of the
13 Land Between the Lakes Protection Act of 1998 (16
14 U.S.C. 460*ull*–29) is amended by adding at the end the
15 following:

16 “(c) HISTORICAL RESOURCES.—

17 “(1) IN GENERAL.—The Secretary shall iden-
18 tify and manage the historical resources of the
19 Recreation Area—

20 “(A) in accordance with the requirements
21 of division A of subtitle III of title 54, United
22 States Code (formerly known as the ‘National
23 Historic Preservation Act’); and

24 “(B) in coordination with qualified resi-
25 dents or relatives.

1 “(2) CONSIDERATION.—The Secretary shall—
2 “(A) give consideration to requests by
3 qualified residents or relatives to use and main-
4 tain traditional sites, buildings, cemeteries, and
5 other areas of cultural importance in the Recre-
6 ation Area; and
7 “(B) work cooperatively with qualified resi-
8 dents or relatives in the management of the his-
9 torical resources of the Recreation Area.”.

10 (i) AUTHORIZATION OF APPROPRIATIONS.—Section
11 551 of the Land Between the Lakes Protection Act of
12 1998 (16 U.S.C. 460*lll*–61) is amended by adding at the
13 end the following:

14 “(d) MINIMUM EXPENDITURE.—Subject to the avail-
15 ability of appropriations under subsection (a), the Sec-
16 retary shall make available not less than \$8,000,000 each
17 fiscal year for the purposes of administering the Recre-
18 ation Area (not including salaries and expenses).”.

○