



## **MEMORANDUM OF UNDERSTANDING**

### **AMONG THE**

**UNITED STATES DEPARTMENT OF AGRICULTURE  
UNITED STATES DEPARTMENT OF THE ARMY (CORPS OF ENGINEERS CIVIL WORKS)  
UNITED STATES DEPARTMENT OF COMMERCE  
AND  
UNITED STATES DEPARTMENT OF THE INTERIOR**

### **REGARDING ESTABLISHMENT OF THE FEDERAL INTERAGENCY COUNCIL ON OUTDOOR RECREATION**

#### **1. PURPOSE**

To ensure effective coordination among Federal agencies with the responsibility for managing Federal lands and waters for sustainable outdoor recreation opportunities, this memorandum of understanding (MOU) is entered into by the United States Department of Agriculture (USDA), the United States Department of the Army (Corps of Engineers Civil Works), the United States Department of Commerce (Commerce), and the United States Department of the Interior (DOI), collectively, "the Parties," for the purpose of establishing the Federal Interagency Council on Outdoor Recreation (FICOR). The establishment of the FICOR will enhance coordination across multiple Federal land and water management agencies for the benefit of Federal resources and the public who enjoy, rely upon, and benefit from these special places. The FICOR will likewise enhance coordination with State, local, Territorial, and Tribal governments and agencies, and with nearby communities, recreation organizations, visitor service providers, and stewardship partners.

#### **2. BACKGROUND**

The Federal government has long-standing responsibilities for the conservation and sustainable use of Federal resources, including providing equitable access to Federal lands and waters for outdoor recreation opportunities. The need to coordinate these responsibilities across Federal departments and agencies was first recognized by the Secretary of the Interior in 1946, through establishment of the Federal Recreation Committee, which was soon redesignated as the Federal Inter-Agency Committee on Recreation.

Following World War II, the Nation experienced a growing demand for outdoor recreation. In response, Congress commissioned a nationwide study on outdoor recreation by the Outdoor Recreation Resources Review Commission (Commission) (established by Public Law No. 85-470) in 1958 to "assure the spiritual, cultural, and physical benefits that such outdoor recreation provides... [for] present and future generations." The Commission's purpose

was to determine (1) the needs and desires of the American people for outdoor recreation, (2) the recreation resources available to satisfy those needs and desires, and (3) the recommendations for policies and programs to meet those needs and desires.

These historical efforts set the foundation for outdoor recreation as a priority and responsibility of the Federal Government. Since then, through nearly every Federal administration, there have been strategic efforts focused on the natural, social, economic, and health benefits of outdoor recreation opportunities on Federal lands, as well as related investments in the conservation and use of Federal lands and waters, as reflected in Federal legislation. These efforts include the Land and Water Conservation Fund Act (1964), the Wilderness Act (1964), the President's Council on Recreation and Natural Beauty (1966-1969), the National Wild and Scenic Rivers Act and National Trails System Act (1968), the Federal Land Policy and Management Act (1976), the President's Commission on Americans Outdoors (1986), the Federal Lands Recreation Enhancement Act (2004), the Omnibus Public Land Management Act (2009), the President's America's Great Outdoors Initiative (2011-2017), the Federal Interagency Council on Outdoor Recreation (2011-2017), the President's Made in America Outdoor Recreation Advisory Committee (2018-2019), the John D. Dingell Jr. Conservation, Management and Recreation Act (2019), the Great American Outdoors Act (2020), and most recently President Biden's America the Beautiful Initiative (2021-present).

The Bureau of Economic Analysis (BEA) Outdoor Recreation Satellite Account (ORSA) statistics for 2020 show that outdoor recreation has contributed significantly to the Nation's economy at nearly two percent of the gross domestic product every year since 2012.<sup>1</sup> At a local level, outdoor recreation is a significant economic driver for communities, as visitors create a need for services and spend money nearby.

In recent years, Federal lands and waters have experienced record visitation. During the devastating global pandemic, many people have developed an even greater appreciation for the powerful role that outdoor recreation and access to the great outdoors has on physical and mental well-being. With greater visitation comes increased need to ensure that Federal agencies are best positioned to provide world-class visitor services and to ensure that outdoor recreation is managed in a sustainable and equitable manner for the benefit of current and future generations.

Similarly, climate change, which impacts outdoor recreation activities that depend upon reliable snowpacks, healthy river flows, and abundant wildlife, has resulted in the public attempting to recreate during narrower visitation windows. How Federal agencies manage outdoor recreation and support resilient infrastructure in the face of these global challenges requires ongoing coordination.

### **3. GOALS**

To address common challenges and opportunities in outdoor recreation, the goals of this MOU are to provide a framework to:

- a. Facilitate coordination of recreation programs and policies among the Parties;
- b. Facilitate coordination of Federal recreation programs and policies with State, Tribal, Territorial, and local governments and communities near Federal recreational lands and waters;
- c. Build partnerships between the Parties and a range of private, public, Tribal, and non-profit entities to

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<sup>1</sup> BEA 21-55 (2021) [Outdoor Recreation | U.S. Bureau of Economic Analysis \(BEA\)](#) .

promote stewardship of and sustainable recreation on Federal lands and waters;

- d. Promote equitable access to outdoor recreation opportunities on Federal lands and waters, and a safe and welcoming visitor experience for all;
- e. Engage youth and provide training and career opportunities in conservation, outdoor recreation, and resource management work; and
- f. Provide comprehensive visitor information and education and coordinate resources related to outdoor recreation on Federal lands and waters.

#### **4. COORDINATION**

The FICOR will identify and work closely with existing Federal advisory committees that support sustainable recreation, community-based tourism, and conservation activities. Also, the FICOR will engage with foundations and non-profit partners that promote outdoor recreation, stewardship, conservation, and community-based tourism.

The FICOR will coordinate regularly with State, Tribal, Territorial, and local governments, community and national organizations, and industry groups that have complementary programs and resources, including those that support environmental conservation, protection and restoration, equity and environmental justice, community-based tourism, economic development, climate resilience, health and wellness, transportation, education, and public safety.

#### **5. RESPONSIBILITIES OF THE PARTIES**

The Parties agree to:

- a. Provide for participation and engagement by their agency or bureau leadership at least twice annually, including directors of the National Park Service, the Bureau of Indian Affairs, the U.S. Fish and Wildlife Service, the Bureau of Land Management, and the Bureau of Reclamation on behalf of DOI; the U.S. Forest Service on behalf of USDA; the Corps of Engineers Civil Works on behalf of the United States Department of the Army; and the National Ocean Service and the National Marine Fisheries Service of the National Oceanic and Atmospheric Administration on behalf of Commerce;
- b. Identify agency or bureau representatives for a FICOR working group, comprised of representatives identified by each respective FICOR agency or bureau director, which meets monthly or as necessary to complete the actions in the work plan described in subsection 5.g. of this MOU;
- c. Rotate leadership annually among the member agencies and bureaus with no one agency or bureau serving for consecutive years, chaired first by the National Park Service from the date of establishment of the FICOR until September 30, 2023. To the extent that FICOR activities engender specific costs, the costs must be funded consistent with § 708 of the Consolidated Appropriations Act, 2022, Pub. L. No. 117-103, Div. E (March 15, 2022). The Parties may, as allowed under law and policy, identify cost payment structures in the operational charter, in consultation with their legal counsel;
- d. Ensure that the FICOR has operational capacity, staffing, and support for coordination and oversight;
- e. Identify and consult with other departments, agencies, and relevant Federal advisory committees that may periodically engage in the work of the FICOR;

- f. Ensure that the working group meets and drafts an operational charter and other documents necessary to establish the FICOR within 120 days of the effective date of this MOU; and
- g. Direct the working group to develop and propose, within 180 days of the effective date of this MOU, a prioritized list of actions to further the goals of this MOU in a work plan to be completed by the FICOR Parties within the next 2 years. The work group will update the work plan as appropriate.

## 6. AUTHORITY

The DOI will implement this MOU pursuant to relevant statutory authorities, including the Federal Land Policy and Management Act (43 U.S.C. §§ 1701-1787); the Federal Lands Recreation Enhancement Act (16 U.S.C. §§ 6801-6814); the Native American Tourism and Improving Visitor Experience Act (Pub. L. No. 114-221); the National Park Service Organic Act (54 U.S.C. § 100101 *et seq.*); the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. § 668dd); the National Wildlife Refuge System Improvement Act of 1997 (Pub. L. No. 105-57); the Federal Water Project Recreation Act (Pub. L. No. 89-72); and the Fish and Wildlife Coordination Act (16 U.S.C. § 661(b)).

The USDA will implement this MOU pursuant to the Forest Service's Organic Act (16 U.S.C. § 551); the Multiple-Use Sustained Yield Act (16 U.S.C. § 528 *et seq.*); the Federal Lands Recreation Enhancement Act (16 U.S.C. §§ 6801- 6814); the National Forest System Trails Stewardship Act of 2016 (16 U.S.C. §§ 583k-1 through 583k-5); and Native Tourism and Improving Visitor Experience Act (Pub. L. No. 114-221).

The Corps of Engineers Civil Works will implement this MOU pursuant to existing programmatic statutory authorities, including section 4 of the Flood Control Act of 1944 (16 U.S.C. § 460d); the Federal Water Project Recreation Act of 1965 (16 U.S.C. § 4601-12, *et seq.*); and section 313 of the Water Resources Development Act of 1990 (33 U.S.C. § 2320).

Commerce will implement this MOU pursuant to the Native American Tourism and Improving Visitor Experience Act (Pub. L. No. 114-221) and existing programmatic statutory authorities, including the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. § 1801 *et seq.*); the National Marine Sanctuaries Act (16 U.S.C. §1431 *et seq.*); and the Fish and Wildlife Coordination Act (16 U.S.C. § 661(b)).

## 7. GENERAL PROVISIONS

Non-Fund Obligating Document. This MOU is neither a fiscal nor a funds obligating document. Any endeavor involving reimbursement or contribution of funds among the Parties will be handled in accordance with applicable laws, regulations, and procedures, including those applicable to Federal government procurement and printing. These endeavors will be outlined in separate MOUs or other appropriate interagency agreements that will be executed by representatives of the Parties and that will be independently authorized by appropriate statutory authority. This MOU does not provide that authority.

Conduct of Activities. The Parties will handle their own activities and use their own resources, including the expenditure of their own funds, in pursuing the objectives enumerated in this MOU. In implementing this MOU, each Party will be operating under its own laws, regulations, and policies and be subject to the availability of appropriated funds.

Existing Authority. Nothing in this MOU is intended to alter, limit, or expand any of the Parties' statutory and regulatory authority.

No Enforceable Rights. This MOU does not create any substantive or procedural rights that are enforceable at law or equity against the United States or its officers, agents, and employees.

Lack of Benefit to Members of or Delegates to Congress. No member of or delegate to Congress may benefit from this MOU either directly or indirectly.

## **8. TERM OF MOU MODIFICATION AND AMENDMENT**

This MOU is effective when it is fully executed and will be in effect for up to 10 years, at which time it may be amended and extended upon written agreement of all the Parties.

This MOU may be modified or amended only by written agreement of all the Parties.

Any Party may terminate its participation in this MOU for any reason by providing the other Parties 30 days prior written notice. Upon receipt of that notice, the Parties will meet promptly to discuss the reasons for the notice and will try to resolve the concerns prompting it.

## **9. KEY OFFICIALS AND PRINCIPAL CONTACTS**

Key officials are essential to ensure maximum coordination and communication among the Parties and of the work being performed under this MOU. They are:

- a. For DOI:  
Directors, Bureau of Indian Affairs, Bureau of Land Management, National Park Service, and U.S. Fish and Wildlife Service, and the Commissioner of the Bureau of Reclamation  
1849 C Street, NW, Washington, D.C. 20240
- b. For USDA:  
Chief, U.S. Forest Service  
1400 Independence Avenue, SW, Washington, D.C. 20250-0003
- c. For U.S. Department of the Army (Corps of Engineers – Civil Works):  
Assistant Secretary of the Army for Civil Works  
108 Army Pentagon, Washington DC 20310
- d. For Commerce:  
Administrator, National Oceanic and Atmospheric Administration  
1401 Constitution Avenue, NW, Washington, D.C. 20230

**10. SIGNATURES** - See attached signatory pages.

UNITED STATES DEPARTMENT OF AGRICULTURE  
UNITED STATES DEPARTMENT OF THE ARMY (CORPS OF ENGINEERS - CIVIL WORKS)  
UNITED STATES DEPARTMENT OF COMMERCE  
AND  
UNITED STATES DEPARTMENT OF THE INTERIOR

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Counterpart Signatory Page



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Secretary of Agriculture



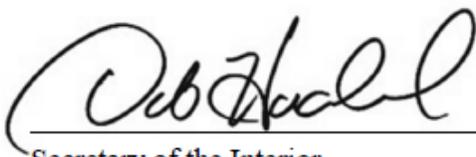
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Assistant Secretary of the Army for Civil Works



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Secretary of Commerce



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Secretary of the Interior

JULY 20 2022