

Calendar No. 588

118TH CONGRESS
2D SESSION**S. 2620**

To establish the Chesapeake National Recreation Area as a unit of the National Park System, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 27, 2023

Mr. VAN HOLLEN (for himself, Mr. CARDIN, Mr. WARNER, and Mr. KAINE) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

NOVEMBER 21, 2024

Reported by Mr. MANCHIN, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To establish the Chesapeake National Recreation Area as a unit of the National Park System, 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 “Chesapeake National
5 Recreation Area Act”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) **ADVISORY COMMISSION.**—The term “Advi-
4 sory Commission” means the Chesapeake National
5 Recreation Area Advisory Commission established
6 under section 11(a).

7 (2) **BAY.**—The term “Bay” means—

8 (A) the Chesapeake Bay watershed; and

9 (B) any tidal segment of a tributary of the
10 Chesapeake Bay in any State.

11 (3) **BAY PROGRAM.**—The term “Bay Program”
12 means the Chesapeake Bay Program authorized
13 under section 117 of the Federal Water Pollution
14 Control Act (33 U.S.C. 1267).

15 (4) **CHESAPEAKE GATEWAYS.**—The term
16 “Chesapeake Gateways” means the Chesapeake Bay
17 Gateways and Watertrails Network authorized under
18 section 502 of the Chesapeake Bay Initiative Act of
19 1998 (54 U.S.C. 320101 note; Public Law 105–
20 312).

21 (5) **MAP.**—The term “Map” means the map en-
22 titled “Chesapeake National Recreation Area Pro-
23 posed Boundary”, numbered P99/189631, and dated
24 June 2023.

1 (6) NATIONAL PARK SERVICE SITE.—The term
2 “National Park Service site” means a unit of the
3 National Park System that is—

4 (A) directly associated with the Bay; and

5 (B) located in 1 or more of the States in
6 the Bay watershed.

7 (7) PARTNER SITE.—The term “partner site”
8 means land that is subject to a partner site agree-
9 ment under section 8(b).

10 (8) RECREATION AREA.—The term “Recreation
11 Area” means the Chesapeake National Recreation
12 Area established by section 4(a).

13 (9) SECRETARY.—The term “Secretary” means
14 the Secretary of the Interior.

15 (10) YOUTH REPRESENTATIVE.—The term
16 “youth representative” means a member of the Advi-
17 sory Commission who—

18 (A) has not attained the age of 22 as of
19 the date on which the member is appointed or
20 reappointed; and

21 (B) is tasked with representing the inter-
22 ests of children and young adults in the State
23 from which the member is appointed.

24 **SEC. 3. PURPOSES.**

25 The purposes of this Act are—

1 (1) to recognize the ecological, cultural, and his-
2 toric diversity of the region in which the Bay is lo-
3 cated by promoting the national significance of the
4 Bay and surrounding areas;

5 (2) to conserve and protect the significant nat-
6 ural, recreational, historical, and cultural resources
7 relating to the Bay;

8 (3) to facilitate public access to the Bay for—

9 (A) recreation;

10 (B) public enjoyment; and

11 (C) the enhancement of sustainable tour-
12 ism that respects the health of the Bay;

13 (4) to encourage engagement and cooperation
14 with communities that neighbor the Bay and com-
15 munities that include historically underserved and
16 underrepresented populations that have traditionally
17 lacked access to the Bay;

18 (5) to promote diversity, equity, and inclusion
19 with respect to the Bay by emphasizing the vital eco-
20 nomic, cultural, and ecological contributions of his-
21 toric and current populations, including, at a min-
22 imum, by providing educational and interpretive
23 services to increase public understanding of, and ap-
24 preciation for—

1 (A) the natural, historical, and cultural re-
2 sources of the Bay; and

3 (B) traditional practices of the individuals
4 whose livelihoods have been dependent on the
5 land and water resources of the Bay and the
6 surrounding area;

7 (6) to facilitate the cooperative management
8 and stewardship of the resources of the Bay; and

9 (7) to advance the conservation goals of Ches-
10 peake Gateways and the Bay Program.

11 **SEC. 4. ESTABLISHMENT AND BOUNDARIES OF CHESA-**
12 **PEAKE NATIONAL RECREATION AREA.**

13 (a) **ESTABLISHMENT.**—To preserve, protect, inter-
14 pret, and provide for the public enjoyment of the resources
15 relating to the Bay and surrounding areas, there is estab-
16 lished as a unit of the National Park System the Ches-
17 peake National Recreation Area.

18 (b) **BOUNDARY.**—The boundary of the Recreation
19 Area shall be the boundary as depicted on the Map.

20 (c) **ADMINISTRATIVE, INTERPRETIVE, AND VISITOR**
21 **SERVICE SITES.**—As soon as practicable after the date of
22 the establishment of the Recreation Area, the Secretary
23 shall—

24 (1) seek to enter into a cooperative agreement
25 for administrative, interpretive, and visitor service

1 uses for the Recreation Area under section 8(a) or
 2 a partner site agreement under section 8(b) with the
 3 City of Annapolis, Maryland, for the use of the
 4 Burtis House;

5 (2) acquire, lease, or enter into a cooperative
 6 management agreement with respect to real property
 7 for an additional administrative, interpretive, and
 8 visitor services center for the Recreation Area, which
 9 shall be located within or in the environs of the his-
 10 toric downtown area of the City of Annapolis, Mary-
 11 land; and

12 (3) acquire, lease, or enter into a cooperative
 13 management agreement with respect to real property
 14 for an additional interpretive and visitor services
 15 center for the Recreation Area, which shall be lo-
 16 cated within or in the environs of Fort Monroe.

17 (d) AVAILABILITY OF MAP.—The Map shall be on file
 18 and available for public inspection in the appropriate of-
 19 fices of the National Park Service.

20 (e) REVISION OF FORT MONROE NATIONAL MONU-
 21 MENT BOUNDARY.—

22 (1) IN GENERAL.—The boundary of Fort Mon-
 23 roe National Monument, established by Proclama-
 24 tion 8750, dated November 1, 2011 (54 U.S.C.
 25 320301 note; 76 Fed. Reg. 68625), is revised to ex-

1 elude all land and interests in land within the North
2 Beach area of the Monument (as in existence on the
3 day before the date of enactment of this Act) that
4 are identified on the Map as part of the Recreation
5 Area.

6 ~~(2) ADMINISTRATION.~~—Any reference in any
7 law, regulation, document, record, map, or other
8 paper of the United States to the land or interests
9 in land described in paragraph (1) shall be consid-
10 ered to be a reference to the Recreation Area.

11 ~~(3) TRANSFER OF ADMINISTRATIVE JURISDIC-~~
12 ~~TION.~~—

13 ~~(A) IN GENERAL.~~—Subject to subpara-
14 graph (B) and until the date on which adminis-
15 trative jurisdiction over the land and interests
16 in land are transferred to the Secretary, the
17 Secretary of the Army shall continue to admin-
18 ister the land and interests in land described in
19 paragraph (1) that were under the jurisdiction
20 of the Secretary of the Army as of the day be-
21 fore the date of enactment of this Act in ac-
22 cordance with—

23 (i) the memorandum of agreement be-
24 tween the Secretary of the Army and the
25 Secretary dated December 9, 2016; and

1 (ii) this Act.

2 (B) REQUIREMENTS.—In carrying out sub-
3 paragraph (A), the Secretary of the Army
4 shall—

5 (i) consult with the Secretary; and

6 (ii) administer the land and interests
7 in land described in paragraph (1) in a
8 manner consistent with this Act.

9 **SEC. 5. ACQUISITION OF LAND FOR THE CHESAPEAKE NA-**
10 **TIONAL RECREATION AREA.**

11 (a) WITHIN BOUNDARY.—Subject to subsection (c),
12 the Secretary may acquire land or interests in land within
13 the boundary of the Recreation Area only by—

14 (1) donation;

15 (2) purchase from a willing seller with donated
16 or appropriated funds;

17 (3) exchange; or

18 (4) transfer from another Federal agency.

19 (b) OUTSIDE BOUNDARY.—

20 (1) IN GENERAL.—Subject to subsection (c),
21 the Secretary may acquire, using the methods de-
22 scribed in subsection (a), land or interests in land lo-
23 cated outside the boundary of the Recreation Area,
24 in consultation with the Advisory Commission as de-
25 scribed in section 11(b)(2)(B).

1 (2) INCLUSION IN RECREATION AREA.—On ac-
2 quisition of land or an interest in land under para-
3 graph (1), the boundary of the Recreation Area shall
4 be modified to reflect the acquisition.

5 (e) LIMITATION.—Any land or interest in land owned
6 by a State or a political subdivision of a State that is with-
7 in the boundary of the Recreation Area or described in
8 subsection (b)(1) may be acquired only by donation.

9 (d) CONDEMNATION.—No land or interest in land
10 may be acquired for the Recreation Area by condemnation
11 unless the owner of the applicable land or interest in land
12 consents to the condemnation.

13 (e) ENVIRONMENTAL QUALITY STANDARDS.—Prior
14 to the acquisition of land or an interest in land under this
15 section, the Secretary shall ensure that the land or interest
16 in land meets all applicable environmental quality stand-
17 ards.

18 (f) BOUNDARY ADJUSTMENT.—As the Secretary de-
19 termines to be necessary, the Secretary may make minor
20 revisions of the boundary of the Recreation Area by pub-
21 lishing a revised map or other boundary description in the
22 Federal Register.

1 **SEC. 6. ACQUISITION OF LAND-BASED RESOURCES FOR**
2 **THE CHESAPEAKE NATIONAL RECREATION**
3 **AREA.**

4 (a) **IN GENERAL.**—Subject to subsection (b), the Sec-
5 retary may acquire land-based resources, including associ-
6 ated docks, piers, and structures extending into adjacent
7 waters, within the boundary of the Recreation Area only
8 by—

9 (1) donation;

10 (2) purchase from a willing seller with donated
11 or appropriated funds;

12 (3) exchange; or

13 (4) transfer from another Federal agency.

14 (b) **ENVIRONMENTAL QUALITY STANDARDS.**—Prior
15 to the acquisition of a land-based resource under this sec-
16 tion, the Secretary shall ensure that the land-based re-
17 source meets all applicable environmental quality stand-
18 ards.

19 **SEC. 7. ADMINISTRATION.**

20 (a) **IN GENERAL.**—The Secretary shall administer
21 the Recreation Area in accordance with—

22 (1) this section; and

23 (2) the laws generally applicable to units of the
24 National Park System, including title 54, United
25 States Code.

1 (b) ~~HEADQUARTERS.~~—To facilitate coordination of
2 the Recreation Area with Chesapeake Gateways and the
3 Bay Program, the headquarters of the Recreation Area
4 shall be located at the Chesapeake Bay Office of the Na-
5 tional Park Service of the Department of the Interior.

6 (c) ~~COMMERCIAL AND RECREATIONAL FISHING.~~—
7 Nothing in this Act impacts or otherwise affects statutory
8 or regulatory authority with respect to navigation or regu-
9 lation of commercial or recreational fishing activities or
10 shellfish aquaculture in the Chesapeake Bay or tributaries
11 of the Chesapeake Bay.

12 (d) ~~STATE JURISDICTION.~~—Nothing in this Act en-
13 larges or diminishes the jurisdiction of a State, including
14 the jurisdiction or authority of a State with respect to fish
15 and wildlife management.

16 (e) ~~COORDINATION.~~—

17 (1) ~~IN GENERAL.~~—Consistent with the purposes
18 of the Recreation Area, the Secretary shall seek to
19 coordinate the programming and management of ac-
20 tivities of the Recreation Area with the goals of
21 Chesapeake Gateways and the Chesapeake Bay
22 Agreement (as defined in section 117(a) of the Fed-
23 eral Water Pollution Control Act (33 U.S.C.
24 1267(a))).

1 (2) COORDINATION WITH NATIONAL PARK
 2 SERVICE SITES AND PARTNER SITES.—As a compo-
 3 nent of the management plan required under section
 4 10, the Secretary shall, to the maximum extent prac-
 5 ticable, coordinate the development of an implemen-
 6 tation plan for onsite interpretation of resources and
 7 other means of enhancing public understanding of
 8 the Bay at participating National Park Service sites
 9 and partner sites to tell the story of the outstanding,
 10 remarkable, and nationally significant resources of
 11 the Bay.

12 **SEC. 8. AGREEMENTS AND MATCHING FUNDS.**

13 (a) COOPERATIVE AGREEMENTS.—

14 (1) IN GENERAL.—To accomplish the purposes
 15 of the Recreation Area, the Secretary may enter into
 16 cooperative agreements with a State, a political sub-
 17 division of a State, an educational institution, a
 18 Tribal government, a nonprofit organization, or
 19 other interested party that contributes to—

20 (A) the development of the Recreation
 21 Area; or

22 (B) the implementation of the management
 23 plan for the Recreation Area prepared under
 24 section 10(a).

25 (2) MATCHING FUNDS.—

1 (A) ~~IN GENERAL.~~—The Secretary shall re-
 2 quire that any Federal funds made available
 3 under an agreement entered into under para-
 4 graph (1) shall be matched on a 1-to-1 basis by
 5 non-Federal funds.

6 (B) ~~IN-KIND CONTRIBUTION.~~—With the
 7 approval of the Secretary, the non-Federal
 8 share required under subparagraph (A) may be
 9 in the form of property, goods, or services from
 10 a non-Federal source, fairly valued.

11 (3) ~~EFFECT.~~—Nothing in this subsection af-
 12 fects any existing cooperative agreement authority
 13 applicable to Chesapeake Gateways.

14 (b) ~~PARTNER SITE AGREEMENTS.~~—

15 (1) ~~IN GENERAL.~~—The Secretary, under such
 16 terms and conditions as the Secretary considers to
 17 be appropriate, may enter into a partner site agree-
 18 ment with an eligible entity described in paragraph
 19 (2) that owns or manages an eligible site described
 20 in paragraph (3), which shall provide for the inclu-
 21 sion of the partner site in the Recreation Area.

22 (2) ~~DESCRIPTION OF ELIGIBLE ENTITY.~~—An el-
 23 igible entity referred to in paragraph (1) is—

24 (A) a Federal entity;

25 (B) a State or local government;

1 (C) a Tribal government;

2 (D) a private nonprofit organization; or

3 (E) a private landowner.

4 (3) DESCRIPTION OF ELIGIBLE SITE.—An eligi-
5 ble site referred to in paragraph (1) is land that the
6 Secretary has determined—

7 (A) contains a nationally significant nat-
8 ural, recreational, historical, or cultural re-
9 source;

10 (B) ensures public access to the applicable
11 resource; and

12 (C) meaningfully contributes to the pur-
13 poses of the Recreation Area.

14 (4) CRITERIA FOR INCLUSION IN THE RECRE-
15 ATION AREA.—On the establishment of the Advisory
16 Commission, the Secretary shall, establish any addi-
17 tional criteria for inclusion of partner sites in the
18 Recreation Area, taking into consideration the rec-
19 ommendations of the Advisory Commission under
20 section 11(b)(2).

21 (5) COOPERATIVE MANAGEMENT OF PARTNER
22 SITES.—Under a partner site agreement entered into
23 paragraph (1), the Secretary may acquire from, and
24 provide to, the owner or manager of the partner site

1 goods and services to be used in the cooperative
2 management of the applicable partner site.

3 (6) PROHIBITION.—The Secretary may not
4 transfer administrative responsibilities for the Recre-
5 ation Area to the owner or operator of a partner
6 site.

7 (c) TERMS AND CONDITIONS OF AGREEMENTS.—Any
8 agreement entered into under subsection (a) or (b) may
9 include any terms and conditions that are determined to
10 be necessary by the Secretary to ensure that—

11 (1) in the case of an agreement relating to a
12 partner site, the partner site complies with the terms
13 and conditions of the applicable agreement;

14 (2) the Secretary has the right of access at all
15 reasonable times, and as specified in the applicable
16 agreement, to all public portions of the properties
17 covered by the agreement or grant for the purposes
18 of—

19 (A) conducting visitors through the prop-
20 erties or providing public recreational access;

21 (B) interpreting the properties for the pub-
22 lic; and

23 (C) research, inventory, monitoring, and
24 resource management;

1 ~~(3)~~ no changes or alterations may be made to
 2 any properties covered by an agreement entered into
 3 under subsection (a) or (b) unless the Secretary and
 4 the other party to the agreement agree to the
 5 changes or alterations; and

6 ~~(4)~~ any conversion, use, or disposal of a project
 7 for purposes contrary to the purposes of this Act, as
 8 determined by the Secretary, shall entitle the United
 9 States to reimbursement in an amount equal to the
 10 greater of—

11 (A) the amounts made available to the
 12 project by the United States; and

13 (B) the portion of the increased value of
 14 the project attributable to the amounts made
 15 available under this subsection, as determined
 16 at the time of the conversion or disposal.

17 **SEC. 9. CHESAPEAKE GATEWAYS.**

18 ~~(a) IN GENERAL.—~~The Secretary (acting through the
 19 Superintendent of the Chesapeake Bay Office of the Na-
 20 tional Park Service) shall administer Chesapeake Gate-
 21 ways in coordination with the Recreation Area.

22 ~~(b) PERMANENT AUTHORIZATION.—~~Section 502(c)
 23 of the Chesapeake Bay Initiative Act of 1998 (54 U.S.C.
 24 §20101 note; Public Law 105–312) is amended by strik-
 25 ing “to carry out this section \$3,000,000” and all that

1 follows through the period at the end and inserting “to
 2 carry out activities authorized under this section
 3 \$6,000,000 for each fiscal year.”.

4 (c) EFFECT.—Nothing in this section or an amend-
 5 ment made by this section modifies the eligibility criteria
 6 developed under section 502(b)(2) of the Chesapeake Bay
 7 Initiative Act of 1998 (54 U.S.C. 320101 note; Public
 8 Law 105–312).

9 **SEC. 10. MANAGEMENT PLAN.**

10 (a) IN GENERAL.—Not later than 3 years after the
 11 date on which funds are first made available for the prepa-
 12 ration of a management plan for the Recreation Area, the
 13 Secretary, in consultation with the Chesapeake Executive
 14 Council (as defined in section 117(a) of the Federal Water
 15 Pollution Control Act (33 U.S.C. 1267(a))) and the Advi-
 16 sory Commission, shall prepare a management plan for
 17 the Recreation Area, in accordance with—

18 (1) section 7(c)(2); and

19 (2) section 100502 of title 54, United States
 20 Code.

21 (b) TRANSPORTATION PLANNING.—

22 (1) INITIAL SITES.—As soon as practicable
 23 after the date of enactment of this Act, the Sec-
 24 retary, in coordination with the Secretary of Trans-
 25 portation and State transportation agencies, shall

1 conduct transportation planning in accordance with
2 section 100502(3) of title 54, United States Code,
3 with respect to the initial sites depicted on the Map,
4 to minimize traffic burden on the surrounding com-
5 munity by—

6 (A) providing an evaluation of the trans-
7 portation systems needs;

8 (B) using strategies to effectively manage
9 the transportation system;

10 (C) subject to section 7(c), prioritizing
11 water and trail access to Recreation Area sites;
12 and

13 (D) collecting community feedback on traf-
14 fic.

15 (2) FUTURE SITES.—The Secretary may, in ac-
16 cordance with paragraph (1), conduct additional
17 transportation planning, as determined to be nec-
18 essary by the Secretary, for any future sites included
19 in the Recreation Area.

20 (e) COST SHARE.—The management plan prepared
21 under subsection (a) shall address costs to be shared by
22 the Secretary and partner sites for necessary capital im-
23 provements to, and maintenance and operations of, the
24 Recreation Area.

1 (d) **SUBMISSION TO CONGRESS.**—On completion of
 2 the management plan under subsection (a), the Secretary
 3 shall submit the management plan to—

4 (1) the Committee on Energy and Natural Re-
 5 sources of the Senate; and

6 (2) the Committee on Natural Resources of the
 7 House of Representatives.

8 **SEC. 11. CHESAPEAKE NATIONAL RECREATION AREA ADVI-**
 9 **SORY COMMISSION.**

10 (a) **ESTABLISHMENT.**—Not later than 180 days after
 11 the date of enactment of this Act, the Secretary shall es-
 12 tablish an advisory commission, to be known as the
 13 “Chesapeake National Recreation Area Advisory Commis-
 14 sion”.

15 (b) **DUTIES.**—The Advisory Commission shall—

16 (1) advise the Secretary on the development
 17 and implementation of the management plan re-
 18 quired under section 10; and

19 (2) after consultation with the States and other
 20 interested parties, recommend to the Secretary cri-
 21 teria and specific recommendations on the Bay for—

22 (A) partner sites; and

23 (B) properties to be added to the boundary
 24 of the Recreation Area to be managed by the
 25 Secretary, including properties located outside

1 of the existing boundaries of the Recreation
2 Area.

3 ~~(c) APPLICABLE LAW.—~~Except as otherwise provided
4 in this section, the Advisory Commission shall be subject
5 to—

6 ~~(1) the Federal Advisory Committee Act (5~~
7 ~~U.S.C. App.) (except section 14(b) of that Act); and~~

8 ~~(2) all other applicable laws (including regula-~~
9 ~~tions).~~

10 ~~(d) MEMBERSHIP.—~~

11 ~~(1) IN GENERAL.—~~The Advisory Commission
12 shall be composed of 19 members, appointed by the
13 Secretary, of whom—

14 ~~(A) 9 shall be appointed to represent the~~
15 ~~State of Maryland, of whom—~~

16 ~~(i) 4 shall have knowledge of environ-~~
17 ~~mental, recreational, cultural or historic re-~~
18 ~~sources, environmental justice, grassroots~~
19 ~~organizing, education, or interpretation;~~

20 ~~(ii) 1 shall represent commercial fish-~~
21 ~~ing interests on the Bay;~~

22 ~~(iii) 1 shall represent agricultural in-~~
23 ~~terests in the watershed of the Bay;~~

24 ~~(iv) 1 shall be a youth representative;~~

1 (v) 1 shall be selected from among in-
2 dividuals recommended by the Governor of
3 the State of Maryland; and

4 (vi) 1 shall be a representative of a
5 federally recognized Indian Tribe or State-
6 recognized Indian Tribe that is tradition-
7 ally associated with the Bay;

8 (B) 9 shall be appointed to represent the
9 Commonwealth of Virginia, of whom—

10 (i) 4 shall have knowledge of environ-
11 mental, recreational, cultural or historic re-
12 sources, environmental justice, grassroots
13 organizing, education, or interpretation;

14 (ii) 1 shall represent commercial fish-
15 ing interests on the Bay;

16 (iii) 1 shall represent agricultural in-
17 terests in the watershed of the Bay;

18 (iv) 1 shall be a youth representative;

19 (v) 1 shall be selected from among in-
20 dividuals recommended by the Governor of
21 the Commonwealth of Virginia; and

22 (vi) 1 shall be a representative of a
23 federally recognized Indian Tribe or State-
24 recognized Indian Tribe that is tradition-
25 ally associated with the Bay; and

1 (C) ~~1~~ shall be the Executive Director of
2 the Chesapeake Bay Commission.

3 (2) REQUIREMENT.—In appointing the mem-
4 bers described in subparagraphs (A)(i) and (B)(i) of
5 paragraph (1), the Secretary shall seek to ensure the
6 broadest practicable representation of the areas of
7 knowledge described in those subparagraphs.

8 (e) TERMS.—

9 (1) IN GENERAL.—A member of the Advisory
10 Commission shall be appointed for a term of ~~3~~ years.

11 (2) SUCCESSION AND REAPPOINTMENT.—On
12 expiration of the term of a member of the Advisory
13 Commission, the member—

14 (A) shall continue to serve until a suc-
15 cessor is appointed; and

16 (B) may be reappointed to serve an addi-
17 tional ~~3~~-year term.

18 (f) VACANCIES.—A vacancy on the Advisory Commis-
19 sion shall be filled in the same manner as the original ap-
20 pointment.

21 (g) ELECTED POSITIONS.—

22 (1) CHAIRPERSON.—The Advisory Commission
23 shall have a Chairperson who shall—

24 (A) be elected by the Advisory Commis-
25 sion; and

1 ~~(B)~~ serve for a term of 1 year, unless re-
2 elected pursuant to procedures established by
3 the Advisory Commission under subsection
4 ~~(h)(1)~~.

5 ~~(2) VICE CHAIRPERSON.~~—The Advisory Com-
6 mission shall have a Vice Chairperson who shall—

7 ~~(A)~~ be elected by the Advisory Commis-
8 sion;

9 ~~(B)~~ serve for a term of 1 year, unless re-
10 elected pursuant to procedures established by
11 the Advisory Commission under subsection
12 ~~(h)(1)~~; and

13 ~~(C)~~ serve as Chairperson in the absence of
14 the Chairperson.

15 ~~(3) OTHER POSITIONS.~~—The Advisory Commis-
16 sion may establish other positions and elect members
17 to serve in those positions as the Advisory Commis-
18 sion determines to be appropriate, subject to sub-
19 section ~~(h)~~.

20 ~~(h) PROCEDURES.~~—

21 ~~(1) IN GENERAL.~~—Subject to paragraphs ~~(2)~~
22 through ~~(6)~~ and any applicable laws (including regu-
23 lations), the Advisory Commission may establish
24 such rules and procedures for conducting the affairs

1 of the Advisory Commission as the Advisory Com-
2 mission determines to be necessary.

3 ~~(2) MEETINGS.—~~The Advisory Commission
4 shall meet at the call of—

5 (A) the Chairperson; or

6 (B) a majority of the appointed members.

7 ~~(3) QUORUM.—~~A quorum shall consist of not
8 less than 11 of the members of the Advisory Com-
9 mission.

10 ~~(4) ACTIONS OF THE ADVISORY COMMISSION.—~~

11 Any action of the Advisory Commission shall require
12 a majority vote of the members present at any meet-
13 ing.

14 ~~(5) VIRTUAL MEETINGS.—~~

15 (A) IN GENERAL.—Meetings of the Advi-
16 sory Commission may be conducted virtually, in
17 whole or in part.

18 (B) REQUEST.—Any member of the Advi-
19 sory Commission may request permission from
20 the Chairperson of the Advisory Commission to
21 participate virtually in—

22 (i) a meeting; and

23 (ii) all activities for that meeting.

24 ~~(6) ELECTIONS.—~~Not less than $\frac{3}{4}$ of the mem-
25 bers of the Advisory Commission must be present;

1 virtually or in-person, for elections carried out under
2 subsection (g).

3 (i) ~~ADVISORY COMMISSION PERSONNEL MATTERS.—~~

4 (1) ~~COMPENSATION OF MEMBERS.—~~

5 (A) ~~IN GENERAL.—~~Members of the Advi-
6 sory Commission shall serve without compensa-
7 tion.

8 (B) ~~TRAVEL EXPENSES.—~~Members of the
9 Advisory Commission shall be allowed travel ex-
10 penses, including per diem in lieu of subsist-
11 ence, at rates authorized for an employee of an
12 agency under subchapter 1 of chapter 57 of
13 title 5, United States Code, while away from
14 the home or regular place of business of the
15 member in the performance of services for, or
16 the duties of, the Commission.

17 (2) ~~STAFF.—~~

18 (A) ~~IN GENERAL.—~~The Secretary may
19 provide the Advisory Commission with any staff
20 or technical assistance that the Secretary, after
21 consultation with the Advisory Commission, de-
22 termines to be appropriate to enable the Advi-
23 sory Commission to carry out the duties of the
24 Advisory Commission.

1 (B) **DETAIL OF EMPLOYEES.**—The Sec-
2 retary may accept the services of personnel de-
3 tailed from a State or any political subdivision
4 of a State.

5 (j) **TERMINATION.**—

6 (1) **IN GENERAL.**—Unless extended under para-
7 graph (2), the Advisory Commission shall terminate
8 on the date that is 10 years after the date of enact-
9 ment of this Act.

10 (2) **EXTENSION.**—

11 (A) **RECOMMENDATION.**—Not later than 8
12 years after the date of enactment of this Act,
13 the Advisory Commission shall make a rec-
14 ommendation to the Secretary as to whether
15 the Advisory Commission is still necessary to
16 advise on the development of the Recreation
17 Area.

18 (B) **DETERMINATION.**—

19 (i) **IN GENERAL.**—If, based on a rec-
20 ommendation under subparagraph (A), the
21 Secretary determines that the Advisory
22 Commission is still necessary, the Sec-
23 retary may extend the existence of the Ad-
24 visory Commission for a period of not more

1 than 10 years beyond the date described in
2 paragraph (1).

3 (ii) **TIMING.**—The Secretary shall
4 make a determination to extend the exist-
5 ence of the Advisory Commission under
6 clause (i) not later than 180 days before
7 the date described in paragraph (1).

8 **SEC. 12. SAVINGS PROVISION.**

9 Except as provided in section 4(e), nothing in this
10 Act enlarges or diminishes the authority of any official at,
11 or transfers the administration or management of, any
12 National Park Service site or any partner site to the
13 Recreation Area.

14 **SECTION 1. SHORT TITLE.**

15 *This Act may be cited as the “Chesapeake National*
16 *Recreation Area Act”.*

17 **SEC. 2. DEFINITIONS.**

18 *In this Act:*

19 (1) **ADVISORY COMMISSION.**—*The term “Advi-*
20 *sory Commission” means the Chesapeake National*
21 *Recreation Area Advisory Commission established*
22 *under section 9(a).*

23 (2) **BAY.**—*The term “Bay” means the Ches-*
24 *apeake Bay, including its tidal tributaries, in Mary-*
25 *land and Virginia.*

1 (3) *BAY PROGRAM.*—*The term “Bay Program”*
2 *means the Chesapeake Bay Program authorized under*
3 *section 117 of the Federal Water Pollution Control*
4 *Act (33 U.S.C. 1267).*

5 (4) *CHESAPEAKE GATEWAYS.*—*The term “Chesa-*
6 *peake Gateways” means the Chesapeake Bay Gate-*
7 *ways and Watertrails Network authorized under sec-*
8 *tion 502 of the Chesapeake Bay Initiative Act of 1998*
9 *(54 U.S.C. 320101 note; Public Law 105–312).*

10 (5) *MAP.*—*The term “Map” means the map enti-*
11 *tled “Chesapeake National Recreation Area Proposed*
12 *Boundary”, numbered P99/189631, and dated June*
13 *2023 (5 pages).*

14 (6) *NATIONAL RECREATION AREA.*—*The term*
15 *“National Recreation Area” means the Chesapeake*
16 *National Recreation Area established by section 3(a).*

17 (7) *SECRETARY.*—*The term “Secretary” means*
18 *the Secretary of the Interior.*

19 (8) *YOUTH REPRESENTATIVE.*—*The term “youth*
20 *representative” means a member of the Advisory*
21 *Commission who—*

22 (A) *has not attained the age of 22 as of the*
23 *date on which the member is appointed or re-*
24 *appointed; and*

1 (B) is tasked with representing the interests
2 of children and young adults in the State from
3 which the member is appointed.

4 **SEC. 3. ESTABLISHMENT AND BOUNDARIES OF CHESA-**
5 **PEAKE NATIONAL RECREATION AREA.**

6 (a) *ESTABLISHMENT.*—

7 (1) *IN GENERAL.*—Subject to paragraph (2),
8 there is established the Chesapeake National Recre-
9 ation Area in the States of Maryland and Virginia
10 as a unit of the National Park System to preserve,
11 protect, interpret, and provide for the public enjoy-
12 ment of, and access to, the natural, cultural, historic,
13 and recreational resources relating to the Bay and
14 surrounding areas.

15 (2) *DETERMINATION BY THE SECRETARY.*—The
16 National Recreation Area shall not be established
17 until the date on which the Secretary determines that
18 a sufficient quantity of land or interests in land has
19 been acquired to constitute a manageable park unit.

20 (3) *NOTICE.*—Not later than 30 days after the
21 Secretary makes a determination under paragraph
22 (2), the Secretary shall publish in the Federal Reg-
23 ister notice of the establishment of the National Recre-
24 ation Area.

1 (b) *BOUNDARY.*—*The boundary of the National Recre-*
2 *ation Area shall include any area acquired by the Secretary*
3 *from sites depicted on the Map.*

4 (c) *AVAILABILITY OF MAP.*—*The Map shall be on file*
5 *and available for public inspection in the appropriate of-*
6 *fices of the National Park Service.*

7 (d) *REVISION OF FORT MONROE NATIONAL MONU-*
8 *MENT BOUNDARY.*—

9 (1) *IN GENERAL.*—*At such time as the Secretary*
10 *determines that the land identified on the Map within*
11 *the boundary of Fort Monroe National Monument es-*
12 *tablished by Proclamation 8750, dated November 1,*
13 *2011 (54 U.S.C. 320301 note; 76 Fed. Reg. 68625),*
14 *has been remediated and is appropriate for inclusion*
15 *in the National Recreation Area—*

16 (A) *administrative jurisdiction over the*
17 *land shall be transferred from the Secretary of*
18 *the Army to the Secretary for inclusion in the*
19 *National Recreation Area; and*

20 (B) *the boundary of the Fort Monroe Na-*
21 *tional Monument shall be revised to exclude all*
22 *land and interests in land within the North*
23 *Beach area of the Monument (as in existence on*
24 *the day before the date of enactment of this Act),*
25 *as generally depicted on the Map.*

1 (2) *REFERENCES TO NATIONAL RECREATION*
2 *AREA.*—Any reference in any law, regulation, docu-
3 *ment, record, map, or other paper of the United*
4 *States to the land described in paragraph (1) shall be*
5 *considered to be a reference to the National Recre-*
6 *ation Area.*

7 (3) *INTERIM ADMINISTRATION.*—Until the date
8 *on which administrative jurisdiction over the land is*
9 *transferred to the Secretary under paragraph (1), the*
10 *Secretary of the Army shall continue to administer*
11 *the land described in that paragraph that was under*
12 *the jurisdiction of the Secretary of the Army as of the*
13 *day before the date of enactment of this Act in accord-*
14 *ance with the memorandum of agreement between the*
15 *Secretary of the Army and the Secretary entitled*
16 *“Memorandum of Agreement Between the Department*
17 *of the Army and the Department of the Interior for*
18 *Fort Monroe National Monument” and dated Decem-*
19 *ber 9, 2016.*

20 (4) *BOUNDARY REVISION.*—On transfer of ad-
21 *ministrative jurisdiction over the land to the Sec-*
22 *retary under paragraph (1), the boundary of the Na-*
23 *tional Recreation Area shall be revised to include the*
24 *land transferred under that paragraph, which shall be*

1 *administered in accordance with the laws applicable*
2 *to the National Recreation Area.*

3 **SEC. 4. ACQUISITION OF LAND FOR THE CHESAPEAKE NA-**
4 **TIONAL RECREATION AREA.**

5 *(a) IN GENERAL.—Subject to subsection (c), the Sec-*
6 *retary may acquire land or interests in land within the*
7 *boundary of the National Recreation Area by—*

8 *(1) donation;*

9 *(2) purchase from a willing seller with donated*
10 *or appropriated funds;*

11 *(3) exchange; or*

12 *(4) transfer from another Federal agency.*

13 *(b) ADDITIONAL SITES.—The Secretary, in consulta-*
14 *tion with the Advisory Commission, may—*

15 *(1) identify additional sites near or adjacent to*
16 *the Bay for potential addition to the National Recre-*
17 *ation Area; and*

18 *(2) subject to the availability of appropriations,*
19 *assess whether sites identified under paragraph (1)—*

20 *(A) are appropriate for addition to the Na-*
21 *tional Recreation Area; and*

22 *(B) meet National Park Service criteria ap-*
23 *plicable to additions to units of the National*
24 *Park System.*

1 (c) *LIMITATION.*—Any land or interest in land owned
 2 by a State or a political subdivision of a State that is with-
 3 in the boundary of the National Recreation Area may be
 4 acquired only by donation.

5 (d) *CONDEMNATION.*—No land or interest in land may
 6 be acquired for the National Recreation Area by condemna-
 7 tion.

8 **SEC. 5. ADMINISTRATION.**

9 (a) *IN GENERAL.*—The Secretary shall administer the
 10 National Recreation Area in accordance with—

11 (1) *this section; and*

12 (2) *the laws generally applicable to units of the*
 13 *National Park System, including—*

14 (A) *sections 100101(a), 100751(a), 100752,*
 15 *100753, and 102101 of title 54, United States*
 16 *Code; and*

17 (B) *chapters 1003 and 3201 of title 54,*
 18 *United States Code.*

19 (b) *HEADQUARTERS.*—To facilitate coordination of the
 20 National Recreation Area with the Chesapeake Gateways
 21 program and the Bay Program, the Secretary may locate
 22 the headquarters of the National Recreation Area at the
 23 Chesapeake Bay Office of the National Park Service.

24 (c) *ADMINISTRATIVE, INTERPRETIVE, AND VISITOR*
 25 *SERVICE SITES.*—The Secretary may acquire, in accord-

1 *ance with section 4(a), not more than 10 acres outside the*
2 *boundary of the National Recreation Area for administra-*
3 *tive, interpretive, and visitor service purposes.*

4 (d) *COMMERCIAL AND RECREATIONAL FISHING.—*
5 *Nothing in this Act affects statutory or regulatory authority*
6 *with respect to navigation or regulation of commercial or*
7 *recreational fishing activities or shellfish aquaculture in the*
8 *Chesapeake Bay or its tributaries.*

9 (e) *STATE JURISDICTION.—Nothing in this Act en-*
10 *larges or diminishes the jurisdiction of a State, including*
11 *the jurisdiction or authority of a State with respect to fish*
12 *and wildlife management.*

13 (f) *COORDINATION.—*

14 (1) *IN GENERAL.—Consistent with the purposes*
15 *of the National Recreation Area, the Secretary shall*
16 *coordinate the management of the National Recre-*
17 *ation Area with the Chesapeake Gateways and the*
18 *Bay Program.*

19 (2) *COORDINATION WITH NATIONAL PARK SERV-*
20 *ICE SITES.—As a component of the management plan*
21 *required under section 8, the Secretary shall, to the*
22 *maximum extent practicable, coordinate the develop-*
23 *ment of an implementation plan to interpret and en-*
24 *hance public understanding of the outstanding, re-*
25 *markable, and nationally significant resources of the*

1 *Bay with units of the National Park System located*
2 *in the Bay watershed.*

3 **SEC. 6. AGREEMENTS.**

4 *The Secretary may enter into an agreement with a*
5 *State, a political subdivision of a State, a nonprofit organi-*
6 *zation, or an individual to interpret and restore nationally*
7 *significant historic, cultural, or recreational resources relat-*
8 *ing to the Bay if the agreement provides for reasonable pub-*
9 *lic access to the resources covered by the agreement.*

10 **SEC. 7. CHESAPEAKE GATEWAYS.**

11 *(a) IN GENERAL.—The Secretary shall administer the*
12 *Chesapeake Gateways in coordination with the National*
13 *Recreation Area.*

14 *(b) PERMANENT AUTHORIZATION.—Section 502(c) of*
15 *the Chesapeake Bay Initiative Act of 1998 (54 U.S.C.*
16 *320101 note; Public Law 105–312) is amended by striking*
17 *“is authorized” and all that follows through the period at*
18 *the end and inserting “are authorized to be appropriated*
19 *such sums as are necessary to carry out this section.”.*

20 *(c) EFFECT.—Nothing in this section or an amend-*
21 *ment made by this section modifies the eligibility criteria*
22 *developed under section 502(b)(2) of the Chesapeake Bay*
23 *Initiative Act of 1998 (54 U.S.C. 320101 note; Public Law*
24 *105–312).*

1 **SEC. 8. MANAGEMENT PLAN.**

2 (a) *IN GENERAL.*—Not later than 3 years after the
3 date on which funds are first made available for the prepa-
4 ration of a management plan for the National Recreation
5 Area, the Secretary, in consultation with the Chesapeake
6 Executive Council (as defined in section 117(a) of the Fed-
7 eral Water Pollution Control Act (33 U.S.C. 1267(a))) and
8 the Advisory Commission, shall prepare a management
9 plan for the National Recreation Area in accordance with
10 section 100502 of title 54, United States Code.

11 (b) *VISITOR FACILITIES.*—In preparing the manage-
12 ment plan under subsection (a), the Secretary shall consider
13 the inclusion of visitor facilities for the National Recreation
14 Area in Annapolis, Maryland, and near Fort Monroe.

15 (c) *TRANSPORTATION PLANNING.*—As part of the man-
16 agement plan prepared under subsection (a), the Secretary,
17 in consultation with State and local governments, shall seek
18 to minimize park-related traffic impacts of the National
19 Recreation Area on nearby communities.

20 **SEC. 9. CHESAPEAKE NATIONAL RECREATION AREA ADVI-**
21 **SORY COMMISSION.**

22 (a) *ESTABLISHMENT.*—Not later than 180 days after
23 the date of enactment of this Act, the Secretary shall estab-
24 lish an advisory commission, to be known as the “Chesa-
25 peake National Recreation Area Advisory Commission”.

1 (b) *DUTIES AND AUTHORIZATIONS.—The Advisory*
2 *Commission—*

3 (1) *shall—*

4 (A) *make recommendations to the Secretary*
5 *on the development and implementation of the*
6 *management plan required under section 8; and*

7 (B) *after consultation with the States and*
8 *other interested parties, provide to the Secretary*
9 *recommendations on the Bay for additional*
10 *properties on the Bay to be studied for potential*
11 *addition to the National Recreation Area in ac-*
12 *cordance with section 4(b); and*

13 (2) *may establish committees relating to specific*
14 *National Recreation Area management issues, includ-*
15 *ing education, tourism, transportation, natural re-*
16 *sources, cultural and historic resources, and activities*
17 *to raise revenue for the National Recreation Area,*
18 *with membership on a committee established under*
19 *this paragraph to be open to members of the Advisory*
20 *Commission and individuals that are not members of*
21 *the Advisory Commission.*

22 (c) *APPLICABLE LAW.—Except as otherwise provided*
23 *in this section, the Advisory Commission shall be subject*
24 *to—*

1 (1) *chapter 10 of title 5, United States Code*
2 *(commonly known as the “Federal Advisory Com-*
3 *mittee Act”)*, except section 1013(b) of that title; and

4 (2) *all other applicable laws (including regula-*
5 *tions).*

6 (d) *MEMBERSHIP.—*

7 (1) *IN GENERAL.—The Advisory Commission*
8 *shall be composed of 19 members, appointed by the*
9 *Secretary, of whom—*

10 (A) *9 shall be appointed from the State of*
11 *Maryland, of whom—*

12 (i) *4 shall have knowledge of environ-*
13 *mental, recreational, cultural, or historic re-*
14 *sources, education, or interpretation;*

15 (ii) *1 shall represent commercial fish-*
16 *ing interests on the Bay;*

17 (iii) *1 shall represent agricultural in-*
18 *terests in the watershed of the Bay;*

19 (iv) *1 shall be a youth representative;*

20 (v) *1 shall be selected after considering*
21 *recommendations by the Governor of the*
22 *State of Maryland; and*

23 (vi) *1 shall be a representative of a fed-*
24 *erally recognized Indian Tribe or State-rec-*

1 *ognized Indian Tribe that is traditionally*
2 *associated with the Bay;*

3 *(B) 9 shall be appointed from the State of*
4 *Virginia, of whom—*

5 *(i) 4 shall have knowledge of environ-*
6 *mental, recreational, cultural, or historic re-*
7 *sources, education, or interpretation;*

8 *(ii) 1 shall represent commercial fish-*
9 *ing interests on the Bay;*

10 *(iii) 1 shall represent agricultural in-*
11 *terests in the watershed of the Bay;*

12 *(iv) 1 shall be a youth representative;*

13 *(v) 1 shall be selected after considering*
14 *recommendations by the Governor of the*
15 *State of Virginia; and*

16 *(vi) 1 shall be a representative of a fed-*
17 *erally recognized Indian Tribe or State-rec-*
18 *ognized Indian Tribe that is traditionally*
19 *associated with the Bay; and*

20 *(C) 1 shall be the Executive Director of the*
21 *Chesapeake Bay Commission.*

22 *(2) REQUIREMENT.—In appointing the members*
23 *described in subparagraphs (A)(i) and (B)(i) of para-*
24 *graph (1), the Secretary shall seek to ensure represen-*
25 *tation from communities around the Bay and broad*

1 *practicable representation of the areas of knowledge*
2 *described in those subparagraphs.*

3 (e) *TERMS.*—

4 (1) *IN GENERAL.*—*A member of the Advisory*
5 *Commission shall be appointed for a term of 3 years.*

6 (2) *SUCCESSION AND REAPPOINTMENT.*—*On ex-*
7 *piration of the term of a member of the Advisory*
8 *Commission, the member—*

9 (A) *shall continue to serve until a successor*
10 *is appointed; and*

11 (B) *may be reappointed to serve an addi-*
12 *tional 3-year term.*

13 (f) *VACANCIES.*—*A vacancy on the Advisory Commis-*
14 *sion shall be filled in the same manner as the original ap-*
15 *pointment.*

16 (g) *ELECTED POSITIONS.*—

17 (1) *CHAIRPERSON.*—*The Advisory Commission*
18 *shall have a Chairperson who shall—*

19 (A) *be elected by the Advisory Commission;*
20 *and*

21 (B) *serve for a term of 1 year, unless re-*
22 *elected pursuant to procedures established by the*
23 *Advisory Commission under subsection (h)(1).*

24 (2) *VICE CHAIRPERSON.*—*The Advisory Commis-*
25 *sion shall have a Vice Chairperson who shall—*

1 (A) be elected by the Advisory Commission;

2 (B) serve for a term of 1 year, unless re-
3 elected pursuant to procedures established by the
4 Advisory Commission under subsection (h)(1);
5 and

6 (C) serve as Chairperson in the absence of
7 the Chairperson.

8 (3) *OTHER POSITIONS.*—The Advisory Commis-
9 sion may establish other positions and elect members
10 to serve in those positions as the Advisory Commis-
11 sion determines to be appropriate, subject to sub-
12 section (h).

13 (h) *PROCEDURES.*—

14 (1) *IN GENERAL.*—Subject to paragraphs (2)
15 through (6) and any applicable laws (including regu-
16 lations), the Advisory Commission may establish such
17 rules and procedures for conducting the affairs of the
18 Advisory Commission as the Advisory Commission
19 determines to be necessary.

20 (2) *MEETINGS.*—The Advisory Commission shall
21 meet at the call of—

22 (A) the Chairperson; or

23 (B) a majority of the appointed members.

24 (3) *QUORUM.*—A quorum shall consist of not less
25 than 11 of the members of the Advisory Commission.

1 (4) *ACTIONS OF THE ADVISORY COMMISSION.*—
2 *Any action of the Advisory Commission shall require*
3 *a majority vote of the members present at any meet-*
4 *ing.*

5 (5) *VIRTUAL MEETINGS.*—

6 (A) *IN GENERAL.*—*Meetings of the Advisory*
7 *Commission may be conducted virtually, in*
8 *whole or in part.*

9 (B) *REQUEST.*—*Any member of the Advi-*
10 *sory Commission may request permission from*
11 *the Chairperson of the Advisory Commission to*
12 *participate virtually in—*

13 (i) *a meeting; and*

14 (ii) *all activities for that meeting.*

15 (6) *ELECTIONS.*—*Not less than $\frac{3}{4}$ of the mem-*
16 *bers of the Advisory Commission must be present, vir-*
17 *tually or in-person, for elections carried out under*
18 *subsection (g).*

19 (i) *ADVISORY COMMISSION PERSONNEL MATTERS.*—

20 (1) *COMPENSATION OF MEMBERS.*—

21 (A) *IN GENERAL.*—*Members of the Advisory*
22 *Commission shall serve without compensation.*

23 (B) *TRAVEL EXPENSES.*—*Members of the*
24 *Advisory Commission shall be allowed travel ex-*
25 *penses, including per diem in lieu of subsistence,*

1 *at rates authorized for an employee of an agency*
2 *under subchapter 1 of chapter 57 of title 5,*
3 *United States Code, while away from the home*
4 *or regular place of business of the member in the*
5 *performance of services for, or the duties of, the*
6 *Commission.*

7 (2) *STAFF.—*

8 (A) *IN GENERAL.—The Secretary may pro-*
9 *vide the Advisory Commission with any staff or*
10 *technical assistance that the Secretary, after con-*
11 *sultation with the Advisory Commission, deter-*
12 *mines to be appropriate to enable the Advisory*
13 *Commission to carry out its duties.*

14 (B) *DETAIL OF EMPLOYEES.—The Advisory*
15 *Commission may accept the services of personnel*
16 *detailed from a State or any political subdivi-*
17 *sion of a State.*

18 (j) *TERMINATION.—The Advisory Commission shall*
19 *terminate on the date that is 10 years after the date of en-*
20 *actment of this Act.*

Calendar No. 588

118TH CONGRESS
2^D SESSION

S. 2620

A BILL

To establish the Chesapeake National Recreation Area as a unit of the National Park System, and for other purposes.

NOVEMBER 21, 2024

Reported with an amendment