

Union Calendar No.

119TH CONGRESS
2^D SESSION

H. R. 4684

[Report No. 119-]

To direct the Secretary of Agriculture to issue a special use permit with respect to the maintaining of a flagpole bearing the flag of the United States at Kyhv Peak Lookout Point, Utah, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 23, 2025

Mr. KENNEDY of Utah introduced the following bill; which was referred to the Committee on Natural Resources

APRIL --, 2026

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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

[For text of introduced bill, see copy of bill as introduced on July 23, 2025]

A BILL

To direct the Secretary of Agriculture to issue a special use permit with respect to the maintaining of a flagpole bearing the flag of the United States at Kyhv Peak Lookout Point, Utah, 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 “Star-Spangled Summit*
5 *Act of 2026”.*

6 **SEC. 2. SPECIAL USE PERMIT FOR INSTALLATION, OPER-**
7 **ATION, MAINTENANCE, AND REMOVAL OF**
8 **COVERED FLAGPOLE AT KYHV PEAK LOOK-**
9 **OUT POINT.**

10 (a) *DEFINITIONS.—In this section:*

11 (1) *COVERED FLAGPOLE.—The term “covered*
12 *flagpole” means a flagpole bearing the flag of the*
13 *United States.*

14 (2) *KYHV PEAK LOOKOUT POINT.—The term*
15 *“Kyhv Peak Lookout Point” means the peak within*
16 *the Uinta National Forest overlooking Utah Valley*
17 *and located approximately at latitude 40°16′18.14”*
18 *N, longitude 111°36′58.57” W.*

19 (3) *QUALIFIED PERSON.—The term “qualified*
20 *person” means an individual that resides in, or a*
21 *nonprofit entity or volunteer organization that carries*
22 *out operations of the entity or organization in, Utah*
23 *County, Utah, that has—*

24 (A) *experience placing, maintaining, or oth-*
25 *erwise caring for a covered flagpole; and*

1 (B) any other experience determined rel-
2 evant by the Secretary.

3 (4) *SECRETARY.*—The term “Secretary” means
4 the Secretary of Agriculture, acting through the Chief
5 of the Forest Service.

6 (b) *SPECIAL USE PERMIT.*—Not later than 180 days
7 after the date of enactment of this Act and notwithstanding
8 any other provision of law, the Secretary shall issue a spe-
9 cial use permit for a period of 10 years for the installation,
10 operation, maintenance, and removal, if necessary, of a cov-
11 ered flagpole at Kyhv Peak Lookout Point to—

12 (1) an individual who has submitted a special
13 use permit application to display the flag of the
14 United States seasonally on Kyhv Peak prior to
15 March 5, 2026;

16 (2) an individual who has placed or displayed
17 the flag of the United States at Kyhv Peak Lookout
18 Point as part of a longstanding seasonal practice
19 prior to the date of enactment of this Act; or

20 (3) if an individual described in paragraphs (1)
21 and (2) declines such permit, to a qualified person in
22 accordance with this section.

23 (c) *SELECTION AND ISSUANCE.*—

24 (1) *APPLICATION.*—Except as provided in sub-
25 section (b), to be eligible to be selected for a special

1 *use permit under this section, a qualified person shall*
2 *submit to the Secretary a proposal and application at*
3 *such time, in such manner, and containing such in-*
4 *formation as the Secretary may require.*

5 (2) *TERMS AND CONDITIONS.—The Secretary*
6 *may impose such terms and conditions on a holder of*
7 *a special use permit under this section as the Sec-*
8 *retary determines necessary to ensure the proper care*
9 *and maintenance of a covered flagpole.*

10 (3) *LAND USE FEE EXEMPTION.—The Secretary*
11 *shall not assess any land use fees with respect to a*
12 *special use permit issued under this section.*

13 (4) *NOTICE OF APPLICATION.—The Secretary*
14 *shall publish notice of the availability of any special*
15 *use permit under this section on the website of the*
16 *Forest Service and in a local Utah County, Utah,*
17 *newspaper of record.*

18 (d) *SUBSEQUENT SPECIAL USE PERMITS.—*

19 (1) *IN GENERAL.—The Secretary shall renew or*
20 *issue a new 10-year special use permit not later than*
21 *180 days after the date that is the earliest of the fol-*
22 *lowing:*

23 (A) *The date that is 10 years after the date*
24 *on which the Secretary issued the preceding per-*
25 *mit.*

1 (B) *The date on which the holder of the cur-*
2 *rent special use permit requests revocation of*
3 *such permit.*

4 (C) *The date on which a special use permit*
5 *is subject to early termination under paragraph*
6 *(2).*

7 (2) *REVOCATION.—If the Secretary determines*
8 *that the holder of a special use permit under this sec-*
9 *tion is not in compliance with the terms and condi-*
10 *tions relating to such permit under subsection (c)(3),*
11 *the Secretary may revoke the special use permit.*

12 (e) *EXEMPTION FROM COST RECOVERY FEES.—A*
13 *holder of a special use permit under this section shall be*
14 *exempt from any cost recovery fee under section 251.58 of*
15 *title 36, Code of Federal Regulations.*

16 (f) *APPLICABILITY OF NEPA.—The National Environ-*
17 *mental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall*
18 *not apply to the issuance, renewal, or administration of*
19 *a special use permit under this section, including any ac-*
20 *tivities associated with the placing, maintenance, or re-*
21 *moval of a covered flagpole at Kyhv Peak Lookout Point.*

22 (g) *ACCESS.—The Secretary may authorize reasonable*
23 *access to Kyhv Peak Lookout Point for the purpose of exer-*
24 *cising rights under a special use permit issued under this*

1 *section, subject to conditions necessary to protect public*
2 *safety and natural resources.*

3 *(h) LIMITATION.—The Secretary shall ensure the ac-*
4 *tivities and access authorized by this section are limited*
5 *to the smallest practicable area.*