To amend the Federal Lands Recreation Enhancement Act to improve recreation opportunities and increase consistency and accountability in the collection and expenditure of recreation fees collected on public lands and forests, to authorize a pilot cabin rental program on National Forest System lands, to reform Federal Land Management Agency concessions policies, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

M. introduced the following bill; which was referred to the Committee on

A BILL

To amend the Federal Lands Recreation Enhancement Act to improve recreation opportunities and increase consistency and accountability in the collection and expenditure of recreation fees collected on public lands and forests, to authorize a pilot cabin rental program on National Forest System lands, to reform Federal Land Management Agency concessions policies, 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,
SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Federal Lands Recreation Enhancement Modernization Act”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—REFORM OF FEDERAL LANDS RECREATION ENHANCEMENT ACT

Sec. 101. Definitions.
Sec. 102. Recreation fee authority.
Sec. 103. Public participation.
Sec. 104. Recreation passes.
Sec. 105. Special account.
Sec. 106. Expenditures.
Sec. 107. Reporting requirements.
Sec. 108. Sunset provision.
Sec. 109. Volunteers.
Sec. 110. Enforcement.
Sec. 111. Conforming amendments to remaining National Park Service admission and use fees authorities under other laws and transition provision.
Sec. 112. Additional technical corrections.

TITLE II—REFORM OF NATIONAL FOREST CABIN FEES

Sec. 201. Pilot cabin rental program for National Forest System.

TITLE III—REFORM OF FEDERAL LAND MANAGEMENT AGENCY CONCESSIONS POLICIES

Sec. 301. Bureau of Land Management recreation concessions authority.
Sec. 302. Pass and discount acceptance by concessionaires.
Sec. 303. Pilot concessionaire campground permit program for National Forest System.
Sec. 304. Preference for maintaining concessionaire-run facilities as concessionaire run.
Sec. 305. Consideration of new concession opportunities.
Sec. 306. Expansion of concessionaire operating season.
Sec. 307. Pilot program for conversion of federally owned improvements at Forest Service recreation sites to private ownership and operation.
TITLE I—REFORM OF FEDERAL LANDS RECREATION ENHANCEMENT ACT

SEC. 101. DEFINITIONS.

(a) NEW FEE NAMES.—Paragraphs (1) and (2) of section 802 of the Federal Lands Recreation Enhancement Act (title VIII of division J of Public Law 108–447; 16 U.S.C. 6801) are amended to read as follows:

“(1) DAY USE FEE.—The term ‘day use fee’ means the recreation fee authorized by section 803(f).

“(2) AMENITY FEE.—The term ‘amenity fee’ means the recreation fee authorized by section 803(g).”.

(b) FEDERAL LAND MANAGEMENT AGENCY.—Section 802(4) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6801(4)) is amended by inserting “or ‘agency’ ” before “means the National”.

(c) RECREATION FEE.—Section 802(8) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6801(8)) is amended by striking “standard amenity recreation fee, expanded amenity recreation fee” and inserting “day use fee, amenity fee”.

(d) NEW DEFINITIONS.—Section 802 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6801) is further amended—

(1) by redesignating paragraphs (10) through (13) as paragraphs (11) through (14), respectively;

(2) by inserting after paragraph (9) the following new paragraph:

“(10) RECREATION SERVICE PROVIDER.—The term ‘recreation service provider’ means any entity that provides any recreation service on Federal recreational lands and waters for which the provider charges a fee for the service.”; and

(3) by adding at the end the following new paragraph:

“(15) UNIT.—The term ‘unit’ means an individual unit of the National Park System, National Forest System, National Wildlife Refuge System, or similar area.”.

(e) TECHNICAL CORRECTIONS.—Section 802 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6801) is further amended—

(1) in the matter preceding paragraph (1), by striking “this Act” and inserting “this title”;

(2) in paragraph (6), by striking “section 5” and inserting “section 805”;

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(3) in paragraph (9), by striking “section 5” and inserting “section 805”;

(4) in paragraph (13), as redesignated by subsection (d)(1), by striking “section 7” and inserting “section 807”; and

(5) in paragraph (14), as redesignated by subsection (d)(1), by striking “section 3(h)” and inserting “section 803(h)”.

SEC. 102. RECREATION FEE AUTHORITY.

(a) SOLE AUTHORITY.—Section 803(a) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6802(a)) is amended by inserting “only” after “waters”.

(b) FEE BASIS.—Section 803(b) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6802(b)) is amended by striking paragraphs (5) and (6) and inserting the following new paragraph:

“(5) The Secretary shall consider access to recreation opportunities.”.

(c) LIMITATIONS.—Section 803(d) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6802(d)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking “standard amenity recreation
fee or expanded amenity recreation fee” and inserting “day use fee or amenity fee”; 
(B) by striking subparagraphs (A) through (F) and inserting the following new subpara-
graph:
“(A) For any site, area, or activity, except as specifically authorized under this section.”;
and
(C) by redesignating subparagraphs (G) through (K) as subparagraphs (B) through (F), respectively; and
(2) in paragraph (3)—
(A) in the matter preceding subparagraph (A), by striking “standard amenity recreation fee” and inserting “day use fee”; and
(B) in subparagraph (B), by striking “educational purposes by schools or bona fide aca-
demic institutions” and inserting “, non-recreational educational purposes by schools or bona fide academic institutions when the stu-
dents are pursuing academic credit and the Sec-
retary has provided prior approval for a fee waiver”.
(d) ENTRANCE FEES.—Section 803(e) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6802(e)) is amended—

(1) by redesignating paragraph (2) as paragraph (4); and

(2) by inserting after paragraph (1) the following new paragraphs:

“(2) POLICIES.—The Secretary shall—

“(A) treat a motorcycle or snowmobile, when used as transportation to enter a unit, as a motor vehicle for the purposes of collecting entrance fees and shall charge a consistent per vehicle rate; and

“(B) determine, by agency, a nationally consistent entrance fee policy and corresponding rate structure, including a schedule for general visitors, commercial and non-commercial recreational tours or groups, and commercial air tours.

“(3) TRANSPORTATION SERVICES.—At a unit of the National Park System where the Secretary provides a transportation service, either as a Government service or through agreement or contract, the Secretary may charge transportation users a transportation fee alone (consistent with section 501 of
the National Park Omnibus Management Act of 1998 (16 U.S.C. 5981) and other authorities) or in combination with an entrance fee. However, the transportation fee or combined transportation and entrance fee may not exceed the entrance fee charged at other similar units as identified in the national entrance fee policy under paragraph (2)(B).”.

(e) DAY USE FEE.—Subsection (f) of section 803 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6802) is amended to read as follows:

“(f) DAY USE FEE.—

“(1) AUTHORIZED SITES FOR DAY USE FEES.— The Secretary may charge a day use fee for Federal recreational lands and waters under the jurisdiction of the Bureau of Land Management, the Bureau of Reclamation, or the Forest Service at the following:

“(A) A National Conservation Area.

“(B) A National Volcanic Monument.

“(C) A destination visitor or interpretive center that provides a broad range of interpretative services, programs and media.

“(D) Sites of concentrated public use that are managed primarily for outdoor recreation purposes where there has been a substantial
Federal investment in facilities and services that are necessary to accommodate heavy public use, public access to the site is provided in such a manner that fees can be effectively collected at one or more centralized locations, the site has regularly serviced and well maintained toilet facilities and contains at least four of the following:

“(i) Designated developed parking.
“(ii) Trash collection.
“(iii) Permanent interpretative materials.
“(iv) Picnic tables.
“(v) Routine presence of agency personnel.

“(2) SINGLE FEE FOR MULTIPLE SITES.—If there are two or more sites of concentrated public use located within one-half mile of each other, the Secretary may charge a single day use fee for the sites and the area between the sites.

“(3) POLICY.—The Secretary shall determine, by agency, a nationally consistent day use fee policy and rate structure.

“(4) INITIAL IMPLEMENTATION.—
“(A) Initial List of Fee Sites.—No later than 180 days after the date of the enactment of the Federal Lands Recreation Enhancement Modernization Act, the Secretary shall—

“(i) publish in the Federal Register and on the agency’s website a list of all sites for which day use fees are proposed to be collected; and

“(ii) provide a 60-day public comment period regarding such list.

“(B) Final List of Fee Sites.—No later than 120 days after the close of the public comment period required by subparagraph (A)(ii), the Secretary shall publish in the Federal Register and on the agency’s website the final list of sites for which day use fees are to be collected.

“(5) Transition.—The Secretary may continue to collect fees in effect on the date of the enactment of Federal Lands Recreation Enhancement Modernization Act for a period not to exceed 180 days from the date the final list of day use fee sites is published pursuant to paragraph (4)(B). However,
the Secretary may not increase or impose new fees
using this transition authority.”.

(f) AMENITY Fee.—Section 803(g) of the Federal
Lands Recreation Enhancement Act (16 U.S.C. 6802(g))
is amended—

(1) in the subsection heading, by striking “EXP-
PANDED AMENITY RECREATION” and inserting
“AMENITY”;

(2) by striking paragraph (1);

(3) by redesignating paragraph (2) as para-
graph (1) and in such paragraph—

(A) in the matter preceding subparagraph
(A)—

(i) by striking “expanded amenity
recreation fee, either in addition to a
standard amenity fee” and inserting
“amenity fee, either in addition to a day
use fee or entrance fee”; and

(ii) by striking “under the jurisdiction
of the Forest Service, the Bureau of Land
Management, or the Bureau of Reclama-
tion, but only”;

(B) in subparagraph (A)—

(i) by striking “Tent” and inserting
“Developed tent”; and
(ii) by striking clauses (vii) through (ix) and inserting the following new clauses:

“(vii) Trash collection.

“(viii) Regularly serviced and well maintained toilet facilities.”;

(C) in subparagraph (E), by inserting before the period the following: “when the user has not paid an amenity fee under subparagraph (A) the prior night”;

(D) by striking subparagraph (F) and inserting the following new subparagraph:

“(F) Highly specialized interpretative programs; guided walks, talks, and tours of substantial length; programs that require specialized equipment; specialized non-public programs; and other interpretative services for which the Secretary incurs significant costs. However, before the Secretary may charge a fee for interpretative programs, the Secretary shall identify basic interpretative programs and services, including tours required to provide basic visitor access to a primary resource in a unit, that will be provided free of charge.”;
E) in subparagraph (H), by inserting before the period the following: “subject to subsection (e)(3)”; and

(F) in subparagraph (J)—

(i) in the matter preceding clause (i), by inserting “or hot spring” after “swimming sites”;

(ii) in clause (i), by striking “flush toilets” and inserting “regularly serviced and well maintained toilets”;

(iii) in clause (ii), by striking “Refuse containers” and inserting “Trash collection”; and

(iv) in clause (v), by inserting “or swimming instructors” after “lifeguards”;

and

(4) by adding at the end the following new paragraph:

“(2) NATIONAL PARK SERVICE AND UNITED STATES FISH AND WILDLIFE SERVICE ADDITIONAL AUTHORITY.—Except as limited by subsection (d), the Secretary may charge an additional amenity fee at Federal recreational lands and waters under the jurisdiction of the National Park Service and the United States Fish and Wildlife Service when the
Secretary determines that the visitor uses a specific or specialized facility, equipment, or service not otherwise included under paragraph (1).”.

(g) Special Recreation Permit and Fee.—Subsection (h) of section 803 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6802) is amended to read as follows:

“(h) Special Recreation Permit and Fee.—

“(1) In General.—The Secretary may—

“(A) issue a special recreation permit for Federal recreational lands and waters; and

“(B) charge a special recreation permit fee in connection with the issuance of the permit.

“(2) Special Recreation Permits.—The Secretary may issue special recreation permits in the following circumstances:

“(A) For specialized individual and group use of Federal facilities and Federal recreational lands and waters, such as, but not limited to, use of special areas or areas where use is allocated, motorized recreational vehicle use, and group activities or events.

“(B) To recreation service providers who conduct outfitting, guiding, and other recreation services on Federal recreational lands and
waters managed by the Forest Service, Bureau of Land Management, Bureau of Reclamation, and the United States Fish and Wildlife Service.

“(C) To recreation service providers who conduct recreation or competitive events, which may involve incidental sales on Federal recreational lands and waters managed by the Forest Service, Bureau of Land Management, Bureau of Reclamation, and the United States Fish and Wildlife Service.

“(3) REDUCTION IN FEDERAL COSTS.—To reduce Federal costs in administering this subsection, the issuance of a new special recreation permit for activities under paragraph (2)(B) that have been considered under previous analysis or that are similar to existing uses or are not inconsistent with approved uses and will not substantially increase the use of an area shall not constitute a major Federal action for the purposes of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(4) SINGLE PERMITS.—The Secretary may issue a single permit, administered by one agency (including the National Park Service), to authorize a recreation service provider to provide services or
for an event on lands managed by multiple agencies. The authorized official in the agency issuing the permit under this authority must have a delegation of authority for the administration of the permit from the other relevant agencies and must comply with the applicable laws of each relevant agency. Nothing in this subsection shall alter, expand, or limit the applicability of any public law or regulation to lands administered by the participating agencies.

“(5) GUIDELINES AND PERMIT FEE CALCULATION.—

“(A) GUIDELINES AND EXCLUSION OF CERTAIN REVENUES.—The Secretary shall publish guidelines in the Federal Register for how recreation permit fees shall be established that will provide appropriate deductions for revenue from goods, services, or activities provided by the recreation service provider outside Federal recreational lands and waters and a deduction for fees to paid for other Federal lands if separate permits are issued for a single event.

“(B) REVENUE EXCLUSIONS.—Revenue exclusions under subparagraph (A) shall include, but not be limited to, revenue from goods or services provided by the recreation service
provider outside the Federal recreational lands and waters, such as—

“(i) costs for transportation, lodging, and other services before or after a trip begins;

“(ii) deductions for activities outside public lands or on other Federal lands if separate permits are issued.

“(C) Fee Conditions.—The fee charged by the Secretary for a permit issued under paragraph (2)(B) shall not exceed 3 percent of the recreational service provider’s annual gross revenue for activities authorized by the permit, plus applicable revenue additions, minus applicable revenue exclusions or a similar flat per person fee. The fee charged by the Secretary for a permit issued under paragraph (2)(C) shall include appropriate reductions and additions based on the direct costs incurred by the Secretary for management of the event.

“(6) Stewardship Program.—

“(A) Establishment.—Within 18 months after the date of the enactment of the Federal Lands Recreation Enhancement Modernization Act, the Secretary shall establish, at
no fewer than 20 sites located on Federal recreational lands and waters administered by the Forest Service and the Bureau of Land Management, a stewardship program for recreation service providers involving credit against a required special recreation permit fee in exchange for otherwise unreimbursed maintenance and resource protection work performed with the permission of the relevant Federal agency.

“(B) ELIGIBILITY.—Under the stewardship program required by this paragraph, a recreation service provider shall submit to the Secretary—

“(i) the provider’s qualifications to adequately and safely perform the proposed maintenance and resource protection work;

“(ii) an itemized accounting of labor and material costs associated with such maintenance and resource protection work;

“(iii) a commitment to share the costs of the proposed maintenance and resource protection work; and
“(iv) permission from the relevant Federal agency to perform the proposed maintenance and resource protection work.

“(C) REVIEW AND APPROVAL.—The Secretary shall review promptly a proposal submitted to participate in the stewardship program and approve any such submission that the Secretary finds adequately meets the eligibility criteria specified in subparagraph (B).

“(7) DISCLOSURE OF FEES.—A holder of a special recreation permit may inform its customers of the various fees charged by the Secretary under this title.”.

(h) ADDITIONAL PROVISIONS.—Section 803 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6802) is further amended by adding at the end the following new subsections:

“(i) NOTICE OF RECREATIONAL FEES AND RECREATION PASSES.—The Secretary shall post clear notice of any fee and available recreation passes at appropriate locations at each site of Federal recreational lands and waters for which any fee is charged. The Secretary shall include such notice in publications distributed at the unit and on agency websites.
“(j) USE OF TECHNOLOGY.—To the extent practicable, the Secretary shall use technology and automation to increase accountability, efficiency, and the convenience of paying recreation fees.

“(k) PLANS FOR REDUCTION OF TRAFFIC DELAYS AT ENTRANCE STATIONS.—The Secretaries shall—

“(1) establish goals to reduce traffic delays at entrance stations of heavily visited units; and

“(2) submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a plan to achieve such goals.

“(l) PROCESS FOR IMPLEMENTATION OF PROPOSED ENTRANCE FEE, DAY USE FEE, OR AMENITY FEE CHANGES.—

“(1) PROHIBITION ON NEW FEES OR FEE INCREASES.—Except in the manner provided in this subsection, the Secretaries may not—

“(A) impose any new entrance fees, day use fees, or amenity fees; or

“(B) increase any entrance fee, day use fee, or amenity fee above the rate in effect as of the date of the enactment of Federal Lands Recreation Enhancement Modernization Act.
“(2) ANNUAL SUBMISSION OF PROPOSED FEE CHANGES.—Not later than June 1 of each year, the Secretaries shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a list of—

“(A) all new entrance fees, day use fees, or amenity fees proposed to be imposed by Federal land management agencies for Federal recreational lands and waters; and

“(B) all increases to existing entrance fees, day use fees, or amenity fees proposed to be made by Federal land management agencies for Federal recreational lands and waters.

“(3) PUBLIC PARTICIPATION AND SUBMISSION TO LOCAL GOVERNMENTS.—

“(A) PUBLIC PARTICIPATION.—Before including a new or increased entrance fee, day use fee, or amenity fee on the list submitted under paragraph (2) for a year, the Secretaries shall comply with the requirements of paragraphs (2), (3), and (4) of section 804(b) regarding providing public notice and an opportunity for public comment for at least 60 days.
“(B) Submission to local governments and request for comments.—Before including a new or increased entrance fee, day use fee, or amenity fee on the list submitted under paragraph (2) for a year, the Secretaries shall provide affected local governments with—

“(i) a written notice of the proposed fee, including the amount of the fee or increase; and

“(ii) a request for comments from the affected local government regarding the merits of the fee or increase and the economic impact of the fee or increase on the local community.

“(C) Time for submission of comments.—The period provided for submission of local comments under subparagraph (B)(ii) to the Secretaries may run concurrently with the period for public comments required by section 804(b)(3).

“(D) Inclusion of comments.—The list submitted under paragraph (2) for a year shall include all comments received from affected local governments in response to the notice provided under subparagraph (A).
“(E) AFFECTED LOCAL GOVERNMENTS DEFINED.—In this paragraph, the term ‘affected local government’ means the governing body of a political subdivision of a State—

“(i) whose boundaries contain all or part of the Federal recreational lands and waters to be subject to the new or increased entrance fee, day use fee, or amenity fee; or

“(ii) that the Secretary determines may be economically impacted by the new or increased fee.

“(4) EMERGENCY SITUATIONS.—If the Secretaries determine that recreational opportunities on Federal recreational lands and waters would be severely curtailed or that an emergency affecting human health or unforeseen events exists, the Secretaries may submit notice of a proposed selective new or increased entrance fee, day use fee, or amenity fee to the congressional committees referred to in paragraph (2) outside of the annual list submitted under such paragraph.

“(5) CONGRESSIONAL REVIEW AND APPROVAL.—A new or increased entrance fee, day use fee, or amenity fee proposed for Federal recreational
lands and waters and included on a list submitted
under paragraph (2) for a year or included in a no-
tice submitted under paragraph (4) may not take ef-
fect unless such new fee or fee increase is approved
by an Act of Congress enacted after the date of the
submission of the list or notice.

“(6) CERTAIN FEES EXCEPTED.—This sub-
section does not apply—

“(A) to special recreation permit fees; or

“(B) consistent with section 814(e) (16
U.S.C. 6813(e)), to fees charged by a third
party for providing a good or service to a visitor
of Federal recreational lands and waters.

“(m) GRANDFAThERING EXISTING PERMITS.—Any
special recreation permit issued under this title before the
date of the enactment of the Federal Lands Recreation
Enhancement Modernization Act shall continue—

“(1) to be managed pursuant to this section, as
in effect on the day before the date of the enactment
of the Federal Lands Recreation Enhancement Mod-
ernization Act; and

“(2) to be valid and remain in effect, under its
terms and notwithstanding section 810, until the
permit expires, is revoked, or is suspended according
to the terms of the permit.”.
(i) **TECHNICAL CORRECTIONS.**—Section 803(d) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6802(d)) is further amended—

1. (1) in paragraph (1)—
   
   (A) in the matter preceding subparagraph (A), by striking “this Act” and inserting “this title”; and
   
   (B) in subparagraph (B), as redesignated by subsection (c)(1)(C), by striking “part of the Federal-aid System” and inserting “Federal-aid highway”; and
   
2. (2) in paragraph (4), by striking “this Act” and inserting “this title”.

**SEC. 103. PUBLIC PARTICIPATION.**

Section 804 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6803) is amended—

1. (1) in subsection (a), by striking “this Act” and inserting “this title”; and
   
2. (2) by striking subsections (b), (c), (d), and (e) and inserting the following new subsections:

   “(b) **ENTRANCE FEES, DAY USE FEES, AND AMENITY FEES.**—For entrance fees, day use fees, and amenity fees, the Secretary shall—
“(1) publish in the Federal Register notice of any unit that will be newly subject to an entrance fee, day use fee, or amenity fee;

“(2) publish on the website recreation.gov or another similar interagency website, in local newspapers, on agency websites, at proposed and established collection points, on social media applications, and in publications distributed near the site for which the fee would be collected—

“(A) any proposed new or increased fee;

“(B) the unit and agency proposing the new or increased fee;

“(C) the process by which to comment on the proposed new or increased fee; and

“(D) subject to paragraph (3), when the opportunity for comment closes;

“(3) allow at least 60 days public comment after publication of notice under paragraph (2);

“(4) subject to section 803(l), at least 120 days before the implementation of the new or increased fee, publish notice of a decision to implement a new or increased fee in local newspapers, on the agency websites, at proposed and established collection points, on social media applications, and in publica-
tions distributed near the site for which the fee will
be collected; and

“(5) not less frequently than every other year,
solicit public comment for at least 60 days on how
fee revenue should be expended at each unit.

“(c) SPECIAL RECREATION PERMIT FEES.—For spe-
cial recreation permit fees authorized by section
803(h)(2)(A), the Secretary shall—

“(1) if the fee is for reoccurring recreational
uses for which standard fee rates can be established,
follow the procedures in subsection (b); and

“(2) if the fee is based on recovering the costs
associated with issuing and managing the permit, es-
establish guidelines for how fees will be established
and publish the guidelines in the Federal Register.”.

SEC. 104. RECREATION PASSES.

(a) AMERICA THE BEAUTIFUL—THE NATIONAL
PARKS AND FEDERAL RECREATIONAL LANDS PASS.—
Section 805(a) of the Federal Lands Recreation Enha-
ancement Act (16 U.S.C. 6804(a)) is amended—

(1) in paragraph (1)—

(A) by striking “shall cover the entrance
fee and standard amenity recreation fee” and
inserting “shall be available to United States
citizens and permanent residents and cover the
entrance fee and day use fee”; and

(B) by striking “standard amenity recre-
ation fee” the second place it appears and in-
serting “day use fee”;

(2) in paragraph (2)—

(A) by striking “shall hold an annual” and
inserting “may hold a”; and

(B) by striking “for an year.” and all that
follows through the end of the following sen-
tence and inserting a period;

(3) in paragraph (5), by adding at the end the
following new sentence: “The Secretaries shall ad-
just the price of the National Parks and Federal
Recreational Lands Pass once every three years to
reflect the change in the Consumer Price Index for
All Urban Consumers (CPI–U) over the same pe-
riod, rounding figures so as to increase or decrease
the price in even five-dollar increments.”;

(4) in paragraph (6)(A), by striking “standard
amenity recreation fee” and inserting “day use fee”;

(5) in paragraph (9), by adding “or discount
pass” after “pass”; and

(6) by adding at the end the following new
paragraph:
“(10) PASS USE STUDY.—The Secretaries shall conduct a study to evaluate how, where, and the extent to which the National Parks and Federal Recreational Lands Pass is used and shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report containing the results of the study.”.

(b) DISCOUNTED PASSES.—Section 805(b) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6804(b)) is amended—

(1) in paragraph (2), by inserting “or is a veteran with a service-connected disability, as defined in section 101 of title 38, United States Code” before “, if the citizen or person”; and

(2) by adding at the end the following new paragraphs:

“(3) UNITED STATES ARMED FORCES DISCOUNT.—The Secretary may make the National Parks and Federal Recreational Lands Pass available, without charge, to any member of the United States Army, Navy, Air Force, Marine Corps, and Coast Guard if such person presents a Common Access card or similar identification as determined by the Secretary.
“(4) YOUTH VISITATION DISCOUNT.—The Secretary may provide one additional discount to promote youth visitation to Federal recreational lands and waters.

“(5) AMENITY FEE DISCOUNT.—

“(A) DISCOUNT AVAILABLE.—The National Parks and Federal Recreational Lands Pass made available under paragraphs (1) and (2) shall include a discount on the amenity fee charged under section 803(g)(1)(A).

“(B) EXCEPTION.—

“(i) NO-DISCOUNT DAYS ON AMENITY FEES.—The Secretaries shall specify certain days during a calendar year on which a National Parks and Federal Recreational Lands Pass or other recreational pass issued under this section, issued under section 4 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–6a) or title VI of the National Parks Omnibus Management Act of 1998 (16 U.S.C. 5991 et seq.), or issued pursuant to the authority of section 813(a) will not be accepted to obtain a discount on an amenity fee. This exception does not apply to the
Golden Age Passport and Golden Access Passport, which specifically require such a discount.

“(ii) INCLUSION OF CERTAIN DAYS.—

The no-discount days required by clause (i)—

“(I) shall include Memorial Day (and the Saturday and Sunday immediately preceding Memorial Day), the Fourth of July, and Labor Day (and the Saturday and Sunday immediately preceding Labor Day); and

“(II) may include up to two additional days specified by the Secretaries.

“(iii) PUBLIC NOTICE.—The Secretaries shall provide notice of no-discount days on the website recreation.gov or another similar interagency website, in local newspapers, on agency websites, at proposed and established fee collection points, on social media applications, and in publications distributed near Federal recreational lands and waters.
“(6) Prohibition on other discounted passes.—The Secretary may not establish any discounted passes except as provided in this section.”.

(c) Site-Specific Agency Passes.—Section 805(c) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6804(e)) is amended by striking “standard amenity recreation fee” and inserting “day use fee”.

(d) Free Admission Days.—Subsection (e) of section 805 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6804) is amended to read as follows:

“(e) Free Admission Days.—The Secretary may provide for one or more free admission days for Federal recreational lands and waters.”.

(e) Technical Correction.—Section 805(a)(6)(B) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6804(a)(6)(B)) is amended by striking “section 6” and inserting “section 6805”.

SEC. 105. SPECIAL ACCOUNT.

(a) Distribution of Revenues.—Section 807(c)(1) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6806(c)(1)) is amended—

(1) by striking “or area” each place it appears;
(2) in subparagraph (A), by striking “80 percent” and inserting “90 percent”; and
(3) in subparagraph (B), by adding at the end the following new sentence: “The Secretary shall provide notice to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate whenever an allocation is being reduced.”.

(b) TECHNICAL CORRECTIONS.—Section 807 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6806) is amended—

(1) in subsection (b), by striking “this Act” and inserting “this title”;

(2) in subsection (d), by striking “section 5(a)(7)” and inserting “section 6804(a)(7)”; and

(3) in subsection (e), by striking “section 5(d)” and inserting “section 6804(d)”.

SEC. 106. EXPENDITURES.

(a) USE OF FEES AT SPECIFIC SITE OR AREA.—Section 808(a) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6807(a)) is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (4) and (5), respectively;

(2) by inserting after paragraph (1) the following new paragraph:

“(2) shall be used to develop and enhance existing recreation opportunities;
“(3) shall directly benefit visitors to Federal recreational lands and waters;”; and

(3) in paragraph (5), as redesignated by paragraph (1)—

(A) in subparagraph (A), by inserting “visitor” before “health”; and

(B) by striking subparagraph (E) and inserting the following new subparagraph:

“(E) capital construction costs associated with administering the recreation fee program; and”.

(b) LIMITATION ON USE OF FEES.—Section 808(b) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6807(b)) is amended—

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

“(1) USE FOR BIOLOGICAL MONITORING PROHIBITED.—The Secretary”; and

(2) by adding at the end the following new paragraphs:

“(2) USE TO REDUCE VISITOR ACCESS PROHIBITED.—The Secretary may not use any recreation fees to reduce or limit visitor access to Federal recreational lands and waters.
“(3) FACILITY-RELATED PROHIBITIONS.—The Secretary may not use any recreation fees to remove or close a facility unless the facility is being replaced or updated.

“(4) LAND OR WATER ACQUISITION PROHIBITED.—The Secretary may not use any recreation fees for the acquisition of lands or waters.”.

(c) OVERHEAD, ADMINISTRATIVE, AND COLLECTION COSTS CAP.—Subsection (c) of section 808 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6807) is amended to read as follows:

“(c) OVERHEAD, ADMINISTRATIVE, AND COLLECTION COSTS CAP.—

“(1) OVERHEAD AND ADMINISTRATIVE COSTS.—The Secretary may not use more than five percent of total revenues collected annually under this title for overhead and administrative costs.

“(2) COLLECTION COSTS.—The Secretary may not expend more than 20 percent of total revenues collected annually under this title for all direct fee collection costs.

“(3) USE OF CERTAIN REVENUES.—Revenues from special recreation permits issued to recreation service providers under subparagraphs (B) and (C) of section 803(h)(1) shall be used—
“(A) to partially offset the Secretary’s direct cost of administering the permits; and

“(B) to improve and stream-line the permitting process.”.

(d) NOTICE OF FEE PROJECTS.—Section 808 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6807) is amended by adding at the end the following new subsection:

“(e) NOTICE OF FEE PROJECTS.—To the extent practicable, the Secretary shall post clear notice of locations where work is performed using recreation fee or recreation pass revenues collected under this title.”.

(e) TECHNICAL CORRECTIONS.—Section 808 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6807) is further amended—

(1) in subsection (a)(5)(F), as redesignated by subsection (a)(1), by striking “section 6(a)” and inserting “section 6805(a)”; and

(2) in subsection (d)—

(A) in the matter preceding paragraph (1), by striking “this Act” and inserting “this title”; and

(B) in paragraph (1), by striking “section 5(a)(7)” and inserting “section 6804(a)(7)”;}
(C) in paragraph (2), by striking “section 5(d)” and inserting “section 6804(d)”.

SEC. 107. REPORTING REQUIREMENTS.

Section 809 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6808) is amended to read as follows:

“SEC. 809. REPORTS.

“(a) COST ACCOUNTING SYSTEMS.—The Secretaries shall develop and maintain cost accounting systems necessary to accurately track, manage, and report fee receipts and expenditures at each unit. The Secretaries may expend fee revenues to acquire and develop such systems as needed, as a direct operating or administration cost allowed under section 808(c).

“(b) ANNUAL REVENUE AND EXPENDITURE REPORT.—No later than May 1, 2016, and annually thereafter, the Secretaries shall compile, for each Federal land management agency by unit, an accounting for the preceding fiscal year of—

“(1) total recreational fee revenue collected by type;

“(2) expenditures by project from the special accounts established pursuant to section 807(a);

“(3) a description of how expenditure benefitted visitors to the unit;
“(4) any new fees established; and

“(5) any changes in existing fees.

“(c) SUBMISSION.—No later than June 1 of each year, the Secretaries shall—

“(1) display all information required under subsection (b) prominently on the website of each Federal land management agency and on the website recreation.gov or another similar interagency website; and

“(2) provide notice of the availability of such information to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

“(d) AUDITS.—The Secretary shall develop a program of regular audits at fee collection units to ensure accountability of funds collected under this title and all expenditures under this title.”.

SEC. 108. SUNSET PROVISION.

Section 810 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6809) is amended—

(1) by striking “this Act” and inserting “this title”; and

(2) by striking “10 years after the date of the enactment of this Act” and inserting “on December 31, 2022”.

SEC. 109. VOLUNTEERS.

(a) WAIVER OR DISCOUNT OF FEES; SITE-SPECIFIC AGENCY PASS.—Section 811(b) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6810(b)) is amended by striking “standard amenity recreation fee, or an expanded amenity recreation fee” and inserting “day use fee, or amenity fee”.

(b) TECHNICAL CORRECTIONS.—Section 811 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6810) is amended—

(1) in subsection (b), by striking “section 5(c)” and inserting “section 6804(c)”;

(2) in subsection (c), by striking “section 5(a)(7)” and inserting “section 6804(a)(7)”;

(3) in subsection (d), by striking “section 5(d)” and inserting “section 6804(d)”.

SEC. 110. ENFORCEMENT.

(a) REQUIRED PAYMENT.—Section 812 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6811) is amended—

(1) by redesignating subsections (b), (c), and (d) as subsections (c), (d), and (e), respectively; and

(2) by inserting after subsection (a) the following new subsection:

“(b) REQUIRED PAYMENT.—
“(1) In general.—Any person within a site or an area for which an entrance fee or day use fee is charged is required to pay the entrance fee or day use fee.

“(2) Exception.—Paragraph (1) does not apply to a person who—

“(A) is using a valid National Parks and Federal Recreational Lands Pass; or

“(B) is a volunteer with a waiver or discount of fees under section 811(b).

“(3) Receipt.—Upon payment of an entrance fee or day use fee by a person, the Secretary shall provide for the issuance to the person of a non-transferable receipt or other form of proof of payment, valid for entry and reentry into the same site or area for a period of no less than one day.”.

(b) Technical Corrections.—Section 812 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6811) is further amended—

(1) in subsection (a), by striking “this Act” and inserting “this title”; and

(2) in subsection (e), as redesignated by subsection (a)(1), by striking “this Act” and inserting “this title”.

SEC. 111. CONFORMING AMENDMENTS TO REMAINING NATIONAL PARK SERVICE ADMISSION AND USE FEES AUTHORITIES UNDER OTHER LAWS AND TRANSITION PROVISION.

(a) CONFORMING AMENDMENTS.—Section 100904 of title 54, United States Code, is amended—

(1) in subsection (c)—

(A) in paragraph (1), by striking the first sentence and inserting the following new sentence: “As provided in section 811(a) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6810(a)), the Secretary may use volunteers, as appropriate, to collect recreation fees and sell recreation passes authorized under such Act.”; and

(B) in paragraph (2), by striking “(including Golden Eagle Passports)”;

(2) by striking subsections (d) and (e); and

(3) by redesignating subsection (f) as subsection (d), and in such subsection—

(A) by striking paragraphs (1) through (4) and inserting the following new paragraph:

“(1) ESTABLISHMENT.—Section 803 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6802) shall apply with respect to the establishment of a commercial tour use fee for vehicles
entering a System unit for the purpose of providing commercial tour services within the System unit.”;

and

(B) by redesignating paragraph (5) as paragraph (2).

(b) TRANSITION.—Section 813 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6812) is amended by adding at the end the following new subsection:

“(g) TRANSITION.—The Secretaries may continue to collect other recreational fees in existence on the date of the enactment of the Federal Lands Recreation Enhancement Modernization Act for up to 18 months after the date of the enactment of such Act during which time the Secretaries shall bring their relevant recreation fee structures into compliance with the amendments made by such Act.”.

(c) TECHNICAL CORRECTIONS.—Section 813 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6812) is further amended—

(1) in subsection (a), by striking “section 5(a)(3)” and inserting “section 6804(a)(3)”;

(2) in subsection (d), by striking “section 5(a)(3)” and inserting “section 6804(a)(3)”;

(3) in subsection (e)—

(A) in paragraph (1)—
(i) by striking “this Act” both places it appears and inserting “this title”; and

(ii) by striking “section 7” and inserting “section 6806”;

(B) in paragraph (2)—

(i) by striking “this Act” and inserting “this title”; and

(ii) by striking “section 5(a)(3)” and inserting “section 6804(a)(3)”;

(C) in paragraph (3), by striking “this Act” both places it appears and inserting “this title”; and

(D) in paragraph (4), by striking “this Act” both places it appears and inserting “this title”; and

(4) in subsection (f), by striking “this Act” both places it appears and inserting “this title”.

SEC. 112. ADDITIONAL TECHNICAL CORRECTIONS.

Section 814 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6813) is amended—

(1) in subsection (a), by striking “this Act” and inserting “this title”;

(2) in subsection (b)—

(A) in the matter preceding paragraph

(1)—
(i) by striking “this Act” and inserting “this title”; and

(ii) by striking “section 6(a)” and inserting “section 6805(a)”; and

(B) in paragraph (5), by striking “August 8, 1937” and inserting “August 28, 1937”; and

(3) in subsections (e) through (f), by striking “this Act” each place it appears and inserting “this title”.

TITLE II—REFORM OF NATIONAL FOREST CABIN FEES

SEC. 201. PILOT CABIN RENTAL PROGRAM FOR NATIONAL FOREST SYSTEM.

Section 3024 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 16 U.S.C. 6214) is amended by adding at the end the following new subsection:

“(l) PILOT CABIN RENTAL PROGRAM.—

“(1) PILOT PROGRAM AUTHORIZED.—The Secretary may conduct a pilot cabin rental program under which the Secretary will issue a special use permit for the use and occupancy of National Forest System land for recreational residence purposes at a fee greater than the incidental rental otherwise al-
owed under this section or the Cabin User Fee Fairness Act of 2000 (16 U.S.C. 6201 et seq.).

“(2) PUBLIC COMMENT AND INVOLVEMENT.—
In developing the pilot program, the Secretary shall solicit comments from and seek the involvement of owners of recreational residences in the vicinity of the proposed pilot program site and the National Forest Homeowners association.

“(3) FUNDING SOURCE.—Effective October 1, 2016, the Secretary may use fees referred to in subsection (j)(1) to administer the pilot program and to support other recreation opportunities in the vicinity of the pilot program.”.

TITLE III—REFORM OF FEDERAL LAND MANAGEMENT AGENCY CONCESSIONS POLICIES

SEC. 301. BUREAU OF LAND MANAGEMENT RECREATION CONCESSIONS AUTHORITY.

(a) Recreation Concession Permit Authority.—The Secretary of the Interior may issue a recreation concession permit to authorize a third party to provide facilities and services to visitors on public lands managed by the Bureau of Land Management in support of outdoor recreational opportunities in accordance with the applicable land use plan.
(b) COMPENSATION.—A recreation concession permit issued under the authority of this section shall provide for monetary compensation to the Federal Government for the rights and privileges provided, with collected funds deposited in the accounts established under section 807 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6806), to be available without further appropriation and to remain available until expended.

(e) TREATMENT OF EXISTING RECREATION CONCESSIONS AND RECREATION LEASE AGREEMENTS.—Facilities and services provided under a recreation concession and recreation lease agreement in effect on the date of the enactment of this Act regarding public lands managed by the Bureau of Land Management may continue pursuant to the terms and conditions of the agreement.

SEC. 302. PASS AND DISCOUNT ACCEPTANCE BY CONCESSIONAIRES.

(a) PASS AND DISCOUNT ACCEPTANCE BY CONCESSIONAIRES.—Subject to valid existing rights, and to the extent reimbursement is practical, the Secretary of the Interior and the Secretary of Agriculture shall require concessionaires operating federally owned campgrounds and day use facilities on Federal recreational lands and waters under the jurisdiction of the Secretary to accept a National Parks and Federal Recreational Lands Pass or

(b) Reimbursement.—To the extent practicable, the Secretary of the Interior and the Secretary of Agriculture shall reimburse a concessionaire in part or in whole for acceptance under subsection (a) of a recreational pass specified in such subsection in an amount not to exceed the total land use or franchise fee due to the Federal Government.

(c) Effect of Pass Acceptance by Concessionaires.—A concession contract or permit for recreation services that is otherwise within the scope of an exemption from chapter 67 of title 41, United States Code, shall not be outside the scope of that exemption because the concessionaire or recreation service provider accepts a recreational pass specified in subsection (a) for discounted or free use.
SEC. 303. PILOT CONCESSIONAIRE CAMPGROUND PERMIT PROGRAM FOR NATIONAL FOREST SYSTEM.

(a) Pilot Program Authorized.—The Secretary of Agriculture may conduct a pilot concessionaire campground permit program under which the Secretary may authorize a permittee to provide enhanced or alternative overnight facilities and such additional natural resource-based recreational activities and associated facilities on the National Forest System land subject to the permit as the Secretary determines to be appropriate to encourage greater outdoor recreation and enjoyment of nature.

(b) Elements of Permit.—A concessionaire campground permit under the pilot program, and each activity or facility authorized under the permit, shall—

(1) to the extent practicable, harmonize with the natural environment of the National Forest System land subject to the permit;

(2) to the extent practicable, be located within the developed portions of the permitted area;

(3) provide guarantee of removal of improvements through bonding or other means should the permittee default; and

(4) be subject to such other terms and conditions as the Secretary of Agriculture determines to be appropriate.
(c) APPLICABLE LAW.—The Secretary of Agriculture shall conduct the pilot program in accordance with the land and resource management plan applicable to the National Forest System land subject to the permit and applicable laws (including regulations).

(d) PERMIT DURATION.—To encourage investment by the concessionaire, a concessionaire campground permit under the pilot program may have a term not to exceed 30 years.

SEC. 304. PREFERENCE FOR MAINTAINING CONCESSIONAIRE-RUN FACILITIES AS CONCESSIONAIRE RUN.

(a) PREFERENCE.—If the contract period expires for a concessionaire-operated recreation facility, the Federal land management agency concerned shall seek to find a qualified concessionaire to continue to operate the facility whenever practicable and the public is well served by concessionaire operation.

(b) OTHER OPERATING OPTIONS.—If the Federal land management agency concerned determines that a well-performing concessionaire is not available to operate a concessionaire-operated recreation facility upon the expiration of the concession contract, the head of the agency may then consider other options for continued operation.
of the facility, such inclusion under the Federal Lands Recreation Enhancement Act (16 U.S.C. 6801 et seq.).

(c) **FEDERAL LAND MANAGEMENT AGENCY DEFINED.**—In this section, the term “Federal land management agency” means the National Park Service, the United States Fish and Wildlife Service, the Bureau of Land Management, the Bureau of Reclamation, or the Forest Service.

**SEC. 305. CONSIDERATION OF NEW CONCESSION OPPORTUNITIES.**

(a) **CONSIDERATION OF CONCESSIONAIRE OPERATION.**—Subject to subsection (b), in the case of any new visitor facility proposed for a Federal land management agency, the Secretary of the Interior or the Secretary of Agriculture shall consider and evaluate concessionaire management as an option in making the decision to best serve visitors.

(b) **PUBLIC PARTICIPATION.**—Before a new site or area, including a campground, is offered as a new concession opportunity by a Federal land management agency, the Secretary of the Interior or the Secretary of Agriculture shall provide an opportunity for public involvement in the decision—

(1) by publishing a notice in the Federal Register of the proposed concession opportunity; and
(2) by soliciting comments for a period of at least 60 days.

(c) **Federal Land Management Agency Defined.**—In this section, the term “Federal land management agency” means the National Park Service, the United States Fish and Wildlife Service, the Bureau of Land Management, the Bureau of Reclamation, or the Forest Service.

**SEC. 306. EXPANSION OF CONCESSIONAIRE OPERATING SEASON.**

(a) **Authority to Expand Operating Season.**—Subject to subsection (b), a concessionaire operating a facility or providing services under a recreation concession and recreation lease agreement issued by a Federal land management agency is authorized, at the discretion of the concessionaire, to expand the operating season beyond the season prescribed in the agreement.

(b) **Effect on Agency Costs.**—If the decision of a concessionaire under this section to expand an operating season would result in the Federal land management agency incurring costs that the agency would not otherwise incur and cannot be covered within the budget of the agency, the head of the agency and the concessionaire may enter into a supplemental agreement to fund agency per-
sonnel and activities needed to permit visitor use of the expanded operating season.

(c) Federal Land Management Agency Defined.—In this section, the term “Federal land management agency” means the National Park Service, the United States Fish and Wildlife Service, the Bureau of Land Management, the Bureau of Reclamation, or the Forest Service.

SEC. 307. PILOT PROGRAM FOR CONVERSION OF FEDERALLY OWNED IMPROVEMENTS AT FOREST SERVICE RECREATION SITES TO PRIVATE OWNERSHIP AND OPERATION.

(a) Pilot Program Authorized.—Notwithstanding chapter 5 of title 40, United States Code, or its implementing regulations in chapter 102 of title 41, Code of Federal Regulations, the Secretary of Agriculture, acting through the Chief of the Forest Service, may conduct a pilot program to convert, using the authority of the Act of March 4, 1915 (16 U.S.C. 497), federally owned improvements at up to 20 developed recreation sites in the National Forest System to private ownership and operation.

(b) Competitive Selection of Recipients.—The Secretary shall use a competitive process to select recipi-
ents of federally owned improvements made available under the pilot program.

(c) CONSIDERATION.—As consideration for the conversion of federally owned improvements under the pilot program, the Secretary shall insure that the United States receives not less than the appraised fair market value of the improvements.

(d) USE OF PROCEEDS.—Consideration received under subsection (c) shall be available to the Secretary, without further appropriation and until expended, for the purpose of—

(1) covering the costs incurred by the Secretary to conduct the pilot programs; and

(2) improving and modernizing federally owned improvements retained by the Forest Service at other developed recreation sites in the National Forest System.

(e) OTHER TERMS AND CONDITIONS.—The conversion of federally owned improvements under the pilot program shall be subject to such other terms and conditions as the Secretary considers appropriate to protect the interests of the United States.