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, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES
JULY 25, 2014

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

A BILL
To amend the 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, 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 (a) SHORT TITLE.—This Act may be cited as the
5 “Federal Lands Recreation Enhancement Modernization
6 Act of 2014”.

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

Sec. 1. Short title.
Sec. 2. References to Federal Lands Recreation Enhancement Act.
Sec. 3. Definitions.
Sec. 4. Recreation fee authority.
Sec. 5. Public participation.
Sec. 6. Recreation passes.
Sec. 7. Special account.
Sec. 8. Expenditures.
Sec. 9. Reporting requirements.
Sec. 10. Sunset provision.
Sec. 11. Volunteers.
Sec. 12. Enforcement.
Sec. 13. Repeal of superseded admission and use fees.
Sec. 14. Relationship to other laws.

SEC. 2. REFERENCES TO FEDERAL LANDS RECREATION ENHANCEMENT ACT.

Except as otherwise specifically provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a provision, the reference shall be considered to be made to a provision of the Federal Lands Recreation Enhancement Act (title VIII of division J of Public Law 108–447; 16 U.S.C. 6801 et seq.).

SEC. 3. DEFINITIONS.

(a) NEW FEE NAMES.—Paragraphs (1) and (2) of section 802 (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) (16 U.S.C. 6801(4)) is amended by inserting “or ‘agency’” before “means the National”.

(c) RECREATION FEE.—Section 802(8) (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 (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 (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”;

(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. 4. RECREATION FEE AUTHORITY.

(a) SOLE AUTHORITY.—Section 803(a) (16 U.S.C. 6802(a)) is amended by inserting “only” after “waters”.

(b) FEE BASIS.—Section 803(b) (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) (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 subparagraph:

“(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 academic institutions” and inserting “, non-recreational educational purposes by schools or bona fide academic institutions when the stu-
dents are pursuing academic credit and the Secretary has provided prior approval for a fee waiver”.

(d) ENTRANCE FEES.—Section 803(e) (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 (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 of 2014, 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 of 2014 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) (16 U.S.C. 6802(g)) is amended—

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

(2) by striking paragraph (1);

(3) by redesignating paragraph (2) as paragraph (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)”;

(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 oth-
erwise included under paragraph (1).”.

(g) Special Recreation Permit and Fee.—Sub-
section (h) of section 803 (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 rec-
reational 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 recre-
ation 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 Serv-
ice.

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

“(3) REDUCTION IN FEDERAL COSTS.—To re-
duce 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 simi-
lar to existing uses or are not inconsistent with ap-
proved uses and will not substantially increase the
use of an area shall not constitute a major Federal
action for the purposes of the National Environ-

“(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 be-
gins;

“(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 appli-
cable 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 addi-
tions based on the direct costs incurred by the
Secretary for management of the event.

“(6) Bureau of Land Management.—The
Secretary may issue a recreation concession permit
to authorize a third party to provide facilities and
services to visitors on Federal recreational lands and
waters managed by the Bureau of Land Manage-
ment in support of outdoor recreational opportuni-
ties in accordance with the applicable land use plan.
Any such permit shall provide for monetary com-

pensation to the Federal Government for the rights
and privileges provided, with collected funds depos-
ited in the accounts established under section 807 of
this Act, to be available without further appropria-
tion and to remain available until expended. Facili-
ties and services provided under existing recreation
concessions and recreation lease agreements on Bu-
reau of Land Management managed public lands
may continue pursuant to the terms and conditions
of each agreement.

“(7) STEWARDSHIP PROGRAM.—

“(A) ESTABLISHMENT.—Within 18
months after the date of the enactment of the
Federal Lands Recreation Enhancement Mod-
ernization Act of 2014, the Secretary shall es-

tablish, at no fewer than 20 sites located on
Federal recreational lands and waters adminis-
tered 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 mainte-
nance and resource protection work performed
with the permission of the relevant Federal
agency.

“(B) ELIGIBILITY.—Under the steward-
ship 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 pro-
posed 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 Sec-
retary shall review promptly a proposal sub-
mitted to participate in the stewardship pro-
gram and approve any such submission that the
Secretary finds adequately meets the eligibility
criteria specified in subparagraph (B).

“(D) REPORT.—Not later than three years
after the date of the enactment of the Federal
Lands Recreation Enhancement Modernization
Act of 2014, the Secretary shall submit to the
Committee on Natural Resources of the House
of Representatives and the Committee on En-
ergy and Natural Resources of the Senate a
status report on the stewardship program, in-
cluding the number of participating sites, total
amount of the credits granted, and suggestions
for revising the program.

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

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

“(i) NOTICE OF RECREATIONAL FEES AND RECRE-
ATION PASSES.—The Secretary shall post clear notice of
any fee and available recreation passes at appropriate lo-
cations 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) VISITOR CENTERS.—

“(1) IN GENERAL.—Subject to valid existing rights, the Secretary shall not enter into agreements for the operation of a visitor center with private for-profit or non-profit organizations that intend to charge a fee for visitors to access a visitor center or a basic visitor center exhibit.

“(2) EXCEPTIONS.—Nothing in paragraph (1) prohibits the Secretary from—

“(A) charging a recreation fee at a visitor or interpretative center as otherwise provided for in this title; or

“(B) entering into a fee management agreement for the collection of the recreation fee.

“(l) CONGRESSIONAL APPROVAL OF CERTAIN NEW OR INCREASED FEES.—

“(1) SUBMISSION OF LIST OF EXISTING FEES.—Within six months after the date of the en-
actment of the Federal Lands Recreation Enhancement Modernization Act of 2014, the Secretary shall—

“(A) compile a comprehensive list of all fees (except special recreation permit fees) charged at Federal recreational lands and waters by Federal land management agencies as of the date of the enactment of the Federal Lands Recreation Enhancement Modernization Act of 2014; and

“(B) submit this list to the Committee on Natural Resources and the Committee on Agriculture of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

“(2) Prohibition on new fees or fee increases.—Except as provided in paragraphs (3), (4), and (5), the Secretaries may not increase or impose any new entrance fees, day use fees, or amenity fees.

“(3) Submission of proposed fee schedule.—By June 1 of each year, the Secretaries shall propose a single schedule of any new or increased entrance fees, day use fees, or amenity fees and transmit this schedule to the Committee on Natural Resources and the Committee on Agriculture of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.
Resources and the Committee on Agriculture of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

“(4) Congressional approval required.—No new or increased entrance fee, day use fee, or amenity fee may be imposed unless approved by Act of Congress.

“(5) 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 transmit proposed selective new or increased entrance fees, day use fees, or amenity fees to the Committee on Natural Resources and the Committee on Agriculture of the House of Representatives and the Committee on Energy and Natural Resources of the Senate for approval by Act of Congress.

“(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 of 2014 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 Modernization Act of 2014; 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.

“(n) Discounted or Free Admission Days or Use.—The Secretary may provide free admission or use days of Federal recreational lands and waters. The Secretary shall not establish any additional discounts except as provided in this title or by another provision of law.”.

(i) Technical Corrections.—Section 803(d) (16 U.S.C. 6802(d)) is further amended—

(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) in paragraph (4), by striking “this Act” and inserting “this title”.

SEC. 5. PUBLIC PARTICIPATION.

Section 804 (16 U.S.C. 6803) is amended—
(1) in subsection (a), by striking “this Act” and inserting “this title”; and

(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 may—

“(1) publish notice in the Federal Register of any unit 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) 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 publications 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 special 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, to the extent practicable and appropriate, the procedures in subsection (b); and

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

“(d) NEW CONCESSION OPPORTUNITIES.—The Secretary shall provide an opportunity for public involvement 180 days before a new site or area, including a campground, is offered as a new concession opportunity on Fed-
eral recreational lands and waters under the jurisdiction
of the Forest Service or Bureau of Land Management by
publishing a notice in the Federal Register and soliciting
comments.”.

**SEC. 6. RECREATION PASSES.**

(a) **AMERICA THE BEAUTIFUL—THE NATIONAL PARKS AND FEDERAL RECREATIONAL LANDS PASS.**—

Section 805(a) (16 U.S.C. 6804(a)) is amended—

(1) in paragraph (1)—

(A) by inserting “be available to United States citizens and permanent residents and”

before “cover”; and

(B) by striking “standard amenity recreation fee” and inserting “day use fee” both

places it appears;

(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 sentence 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 period, 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) (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 an annual 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) AMENITY FEE DISCOUNT.—The National Parks and Federal Recreational Lands Pass made available under paragraphs (1) and (2) shall include an amenity fee discount as charged under section 803(g)(1)(A).

“(5) 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) (16 U.S.C. 6804(c)) is amended by striking “standard amenity recreation fee” and inserting “day use fee”.

(d) DISCOUNTED OR FREE ADMISSION DAYS OR USE.—Section 805 (16 U.S.C. 6804) is amended—

(1) by striking subsection (e); and
(2) by redesignating subsection (f) as subsection (e).

(c) PASS AND DISCOUNT ACCEPTANCE BY CONCESSIONAIRES.—Section 805 (16 U.S.C. 6804) is further amended by adding at the end the following new subsection:

“(f) PASS AND DISCOUNT ACCEPTANCE BY CONCESSIONAIRES.—

“(1) ACCEPTANCE.—Subject to valid existing rights, and to the extent reimbursement is practical, the Secretary shall require concessionaires operating federally owned campgrounds and day use facilities on Federal recreational lands and waters to accept a recreational pass issued under this title or section 4 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–6a) for discounted or free use, as applicable.

“(2) REIMBURSEMENT.—To the extent practicable, the Secretary shall reimburse a concessionaire in part or in whole for acceptance under paragraph (1) of a recreational pass in an amount not to exceed the total land use or franchise fee due to the Federal Government.”.
(f) **TECHNICAL CORRECTION.**—Section 805(a)(6)(B) (16 U.S.C. 6804(a)(6)(B)) is amended by striking “section 6” and inserting “section 6805”.

**SEC. 7. SPECIAL ACCOUNT.**

(a) **DISTRIBUTION OF REVENUES.**—Section 807(c)(1) (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 (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)”.

•HR 5204 IH
SEC. 8. EXPENDITURES.

(a) Use of Fees at Specific Site or Area.—Section 808(a) (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) (16 U.S.C. 6807(b)) is amended by striking the period at the end and inserting the following: “, reducing or limiting visitor access, to remove or close facilities except when those facilities are being replaced or updated, and acquisition of lands and waters.”.
(c) Overhead, Administrative, and Collection Costs Cap.—Subsection (c) of section 808 (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 spend 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 (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 (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)”;

(2) in subsection (d)—

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

(B) in paragraph (1), by striking “section 5(a)(7)” and inserting “section 6804(a)(7)”;

and

(C) in paragraph (2), by striking “section 5(d)” and inserting “section 6804(d)”.

SEC. 9. REPORTING REQUIREMENTS.

Section 809 (16 U.S.C. 6808) is amended to read as follows:

“SEC. 809. REPORTING REQUIREMENTS.

“(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 Secretary may extend
fee revenue to acquire and develop such systems as needed, as a direct operating or administration cost allowed under section 808(c).

“(b) Annual Reporting.—No later than May 1, 2016, and annually thereafter, the Secretary shall compile by each agency, broken down by unit, a separate accounting for the preceding fiscal year of—

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

“(2) expenditures by project from these accounts;

“(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 Secretary shall—

“(1) display all information required under this section prominently on each agency’s website and on the website identified in section 804(b)(2); and

“(2) provide notice 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. 10. SUNSET PROVISION.

Section 810 (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, 2020”.

SEC. 11. VOLUNTEERS.

(a) Waiver or Discount of Fees; Site-Specific Agency Pass.—Section 811(b) (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 (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)”; and

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

•HR 5204 IH
SEC. 12. ENFORCEMENT.

(a) REQUIRED PAYMENT.—Section 812 (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 (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. 13. REPEAL OF SUPERSEDED ADMISSION AND USE FEES.

(a) REPEAL OF ADDITIONAL PROVISIONS.—Section 813(a) (16 U.S.C. 6812(a)) is amended by striking “and (i) (except for paragraph (1)(C))” and inserting “(i), (l), (m), and (n) (except for paragraph (5))”.

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

“(g) TRANSITION.—The Secretaries may continue to collect recreational fees in existence on the date of the enactment of the Federal Lands Recreation Enhancement Modernization Act of 2014 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.”.

(e) TECHNICAL CORRECTIONS.—Section 813 (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”.  

VerDate Mar 15 2010 23:11 Jul 25, 2014 Jkt 039200 PO 00000 Frm 00038 Fmt 6652 Sfmt 6201 E:\BILLS\H5204.IH H5204tkelley on DSK3SPTVN1PROD with BILLS
SEC. 14. RELATIONSHIP TO OTHER LAWS.

(a) IN GENERAL.—Section 814 (16 U.S.C. 6813) is amended by adding at the end the following new subsection:

“(g) 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 recreation pass or provides a discount under section 803 of this title.”.

(b) TECHNICAL CORRECTIONS.—Section 814 (16 U.S.C. 6813) is further 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 (c) through (f), by striking “this Act” each place it appears and inserting “this title”.