

operative site planning and management provisions.

(Pub. L. 108-447, div. J, title VIII, §806, Dec. 8, 2004, 118 Stat. 3387.)

**§ 6806. Special account and distribution of fees and revenues**

**(a) Special account**

The Secretary of the Treasury shall establish a special account in the Treasury for each Federal land management agency.

**(b) Deposits**

Subject to subsections (c), (d), and (e), revenues collected by each Federal land management agency under this chapter shall—

- (1) be deposited in its special account; and
- (2) remain available for expenditure, without further appropriation, until expended.

**(c) Distribution of recreation fees and single-site agency pass revenues**

**(1) Local distribution of funds**

**(A) Retention of revenues**

Not less than 80 percent of the recreation fees and site-specific agency pass revenues collected at a specific unit or area of a Federal land management agency shall remain available for expenditure, without further appropriation, until expended at that unit or area.

**(B) Reduction**

The Secretary may reduce the percentage allocation otherwise applicable under subparagraph (A) to a unit or area of a Federal land management agency, but not below 60 percent, for a fiscal year if the Secretary determines that the revenues collected at the unit or area exceed the reasonable needs of the unit or area for which expenditures may be made for that fiscal year.

**(2) Agency-wide distribution of funds**

The balance of the recreation fees and site-specific agency pass revenues collected at a specific unit or area of a Federal land management and not distributed in accordance with paragraph (1) shall remain available to that Federal land management agency for expenditure on an agency-wide basis, without further appropriation, until expended.

**(3) Other amounts**

Other amounts collected at other locations, including recreation fees collected by other entities or for a reservation service, shall remain available, without further appropriation, until expended in accordance with guidelines established by the Secretary.

**(d) Distribution of National Parks and Federal Recreational Lands Pass revenues**

Revenues collected from the sale of the National Parks and Federal Recreational Lands Pass shall be deposited in the special accounts established for the Federal land management agencies in accordance with the guidelines issued under section 6804(a)(7) of this title.

**(e) Distribution of regional multientity pass revenues**

Revenues collected from the sale of a regional multientity pass authorized under section

6804(d) of this title shall be deposited in each participating Federal land management agency's special account in accordance with the terms of the region multientity pass agreement for the regional multientity pass.

(Pub. L. 108-447, div. J, title VIII, §807, Dec. 8, 2004, 118 Stat. 3388.)

REFERENCES IN TEXT

This chapter, referred to in subsec. (b), was in the original "this Act", and was translated as reading "this title", meaning title VIII of div. J of Pub. L. 108-447, Dec. 8, 2004, 118 Stat. 3377, known as the Federal Lands Recreation Enhancement Act, to reflect the probable intent of Congress. For complete classification of title VIII to the Code, see Short Title note set out under section 6801 of this title and Tables.

Section 6804 of this title, referred to in subsecs. (d) and (e), was in the original a reference to section 5, and was translated as meaning section 805 of title VIII of div. J of Pub. L. 108-447, to reflect the probable intent of Congress.

**§ 6807. Expenditures**

**(a) Use of fees at specific site or area**

Amounts available for expenditure at a specific site or area—

- (1) shall be accounted for separately from the amounts collected;
- (2) may be distributed agency-wide; and
- (3) shall be used only for—

(A) repair, maintenance, and facility enhancement related directly to visitor enjoyment, visitor access, and health and safety;

(B) interpretation, visitor information, visitor service, visitor needs assessments, and signs;

(C) habitat restoration directly related to wildlife-dependent recreation that is limited to hunting, fishing, wildlife observation, or photography;

(D) law enforcement related to public use and recreation;

(E) direct operating or capital costs associated with the recreation fee program; and

(F) a fee management agreement established under section 6805(a) of this title or a visitor reservation service.

**(b) Limitation on use of fees**

The Secretary may not use any recreation fees for biological monitoring on Federal recreational lands and waters under the Endangered Species Act of 1973 [16 U.S.C. 1531 et seq.] for listed or candidate species.

**(c) Administration, overhead, and indirect costs**

The Secretary may use not more than an average of 15 percent of total revenues collected under this chapter for administration, overhead, and indirect costs related to the recreation fee program by that Secretary.

**(d) Transitional exception**

Notwithstanding any other provision of this chapter, the Secretary may use amounts available in the special account of a Federal land management agency to supplement administration and marketing costs associated with—

- (1) the National Parks and Federal Recreational Lands Pass during the 5-year period beginning on the date the joint guidelines are issued under section 6804(a)(7) of this title; and