

**(f) Effect on existing passports and permits****(1) Existing passports**

A passport issued under section 100904 of title 54 or title VI of the National Parks Omnibus Management Act of 1998 (Public Law 105-391), such as the Golden Eagle Passport, the Golden Age Passport, the Golden Access Passport, and the National Parks Passport, that was valid on the day before the publication of the Federal Register notice required under subsection (a)(3) shall be valid in accordance with the terms agreed to at the time of issuance of the passport, to the extent practicable, and remain in effect until expired, lost, or stolen.

**(2) Permits**

A permit issued under section 100904 of title 54 that was valid on the day before December 8, 2004, shall be valid and remain in effect until expired, revoked, or suspended.

(Pub. L. 108-447, div. J, title VIII, §805, Dec. 8, 2004, 118 Stat. 3385; Pub. L. 113-287, §5(d)(36), Dec. 19, 2014, 128 Stat. 3267; Pub. L. 114-289, title I, §102, Dec. 16, 2016, 130 Stat. 1484.)

## REFERENCES IN TEXT

Section 6805 of this title, referred to in subsec. (a)(6)(B), was in the original a reference to section 6, and was translated as meaning section 806 of title VIII of div. J of Pub. L. 108-447, to reflect the probable intent of Congress.

The National Parks Omnibus Management Act of 1998, referred to in subsec. (f)(1), is Pub. L. 105-391, Nov. 13, 1998, 112 Stat. 3497. Title VI of the Act was classified generally to subchapter V (§5991 et seq.) of chapter 79 of this title, prior to repeal by Pub. L. 108-447, div. J, title VIII, §813(d)(2), Dec. 8, 2004, 118 Stat. 3391. For complete classification of this Act to the Code, see Tables.

## CODIFICATION

In subsec. (f), “section 100904 of title 54” substituted for “section 4 of the Land and Water Conservation Fund Act of 1965” in two places on authority of Pub. L. 113-287, §6(e), Dec. 19, 2014, 128 Stat. 3272, which Act enacted Title 54, National Park Service and Related Programs.

## AMENDMENTS

2016—Subsec. (b)(1). Pub. L. 114-289 designated existing provisions as subpar. (A), struck out “, at a cost of \$10.00,” before “to any United States citizen”, substituted “shall be available—” and cls. (i) and (ii) for “shall be valid for the lifetime of the pass holder.”, and added subpar. (B).

2014—Subsec. (f)(1). Pub. L. 113-287, §5(d)(36)(B), struck out “; 16 U.S.C. 5991-5995” after “(Public Law 105-391”.

Pub. L. 113-287, §5(d)(36)(A), made technical amendment to reference in original act which appeared in text as reference to “section 4601-6a of this title” prior to substitution of “section 100904 of title 54”. See Codification note above.

AMERICA THE BEAUTIFUL NATIONAL PARKS AND  
FEDERAL RECREATIONAL LANDS PASS PROGRAM

Pub. L. 113-121, title I, §1048, June 10, 2014, 128 Stat. 1257, provided that: “The Secretary [of the Army] may participate in the America the Beautiful National Parks and Federal Recreational Lands Pass program in the same manner as the National Park Service, the Bureau of Land Management, the United States Fish and Wildlife Service, the Forest Service, and the Bureau of Reclamation, including the provision of free annual

passes to active duty military personnel and dependents.”

**§ 6805. Cooperative agreements****(a) Fee management agreement**

Notwithstanding chapter 63 of title 31, the Secretary may enter into a fee management agreement, including a contract, which may provide for a reasonable commission, reimbursement, or discount, with the following entities for the following purposes:

(1) With any governmental or nongovernmental entity, including those in a gateway community, for the purpose of obtaining fee collection and processing services, including visitor reservation services.

(2) With any governmental or nongovernmental entity, including those in a gateway community, for the purpose of obtaining emergency medical services.

(3) With any governmental entity, including those in a gateway community, to obtain law enforcement services.

**(b) Revenue sharing**

A State or legal subdivision of a State that enters into an agreement with the Secretary under subsection (a) may share in a percentage of the revenues collected at the site in accordance with that fee management agreement.

**(c) County proposals**

The Secretary shall consider any proposal submitted by a county to provide services described in subsection (a). If the Secretary decides not to enter into a fee management agreement with the county under subsection (a), the Secretary shall notify the county in writing of the decision, identifying the reasons for the decision. The fee management agreement may include cooperative 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

(2) a regional multientity pass authorized section 6804(d) of this title during the 5-year period beginning on the date the regional multientity pass agreement for that recreation pass takes effect.

(Pub. L. 108-447, div. J, title VIII, §808, Dec. 8, 2004, 118 Stat. 3388; Pub. L. 111-11, title VII, §7116(h), Mar. 30, 2009, 123 Stat. 1203.)

## REFERENCES IN TEXT

The Endangered Species Act of 1973, referred to in subsec. (b), is Pub. L. 93-205, Dec. 28, 1973, 87 Stat. 884, as amended, which is classified principally to chapter 35 (§1531 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1531 of this title and Tables.

This chapter, referred to in subsecs. (c) and (d), 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 subsec. (d), 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.

## AMENDMENTS

2009—Subsec. (a)(3)(F). Pub. L. 111-11, which directed technical amendment in subsec. (a)(1)(F) to reference in