

(V) Hunting and fishing.

(ii) Three persons who represent interest groups that include, as appropriate, the following:

(I) Motorized outfitters and guides.

(II) Non-motorized outfitters and guides.

(III) Local environmental groups.

(iii) Three persons, as follows:

(I) State tourism official to represent the State.

(II) A person who represents affected Indian tribes.

(III) A person who represents affected local government interests.

(6) Term

(A) Length of term

The Secretary shall appoint the members of a Recreation Resource Advisory Committee for staggered terms of 2 and 3 years beginning on the date that the members are first appointed. The Secretary may re-appoint members to subsequent 2- or 3-year terms.

(B) Effect of vacancy

The Secretary shall make appointments to fill a vacancy on a Recreation Resource Advisory Committee as soon as practicable after the vacancy has occurred.

(C) Effect of unexpected vacancy

Where an unexpected vacancy occurs, the Governor and the designated county officials from each county in the relevant State shall provide the Secretary with a list of nominations in the relevant category, as described under paragraph (5)(D), not later than two months after notification of the vacancy. To the extent possible, a vacancy shall be filled in the same category and term in which the original appointment was made.

(7) Chairperson

The chairperson of a Recreation Resource Advisory Committee shall be selected by the majority vote of the members of the Committee.

(8) Quorum

Eight members shall constitute a quorum. A quorum must be present to constitute an official meeting of a Recreation Resource Advisory Committee.

(9) Approval procedures

A Recreation Resource Advisory Committee shall establish procedures for making recommendations to the Secretary. A recommendation may be submitted to the Secretary only if the recommendation is approved by a majority of the members of the Committee from each of the categories specified in paragraph (5)(D) and general public support for the recommendation is documented.

(10) Compensation

Members of the Recreation Resource Advisory Committee shall not receive any compensation.

(11) Public participation in the Recreation Resource Advisory Committee

(A) Notice of meetings

All meetings of a Recreation Resource Advisory Committee shall be announced at least one week in advance in a local newspaper of record and the Federal Register, and shall be open to the public.

(B) Records

A Recreation Resource Advisory Committee shall maintain records of the meetings of the Recreation Resource Advisory Committee and make the records available for public inspection.

(12) Federal Advisory Committee Act

A Recreation Resource Advisory Committee is subject to the provisions of the Federal Advisory Committee Act (5 U.S.C. App.).

(e) Miscellaneous administrative provisions regarding recreation fees and recreation passes

(1) Notice of entrance fees, standard amenity recreation fees, and passes

The Secretary shall post clear notice of any entrance fee, standard amenity recreation fee, and available recreation passes at appropriate locations in each unit or area of a Federal land management agency where an entrance fee or a standard amenity recreation fee is charged. The Secretary shall include such notice in publications distributed at the unit or area.

(2) Notice of recreation 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 chapter.

(Pub. L. 108-447, div. J, title VIII, § 804, Dec. 8, 2004, 118 Stat. 3382.)

REFERENCES IN TEXT

This chapter, referred to in subsecs. (a), (b), (d)(1)(B), and (e)(2), 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.

The Federal Advisory Committee Act, referred to in subsec. (d)(12), is Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, as amended, which is set out in the Appendix to Title 5, Government Organization and Employees.

CHANGE OF NAME

Committee on Resources of House of Representatives changed to Committee on Natural Resources of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007.

§ 6804. Recreation passes

(a) America the Beautiful—the National Parks and Federal Recreational Lands Pass

(1) Availability and use

The Secretaries shall establish, and may charge a fee for, an interagency national pass to be known as the “America the Beautiful—

the National Parks and Federal Recreational Lands Pass”, which shall cover the entrance fee and standard amenity recreation fee for all Federal recreational lands and waters for which an entrance fee or a standard amenity recreation fee is charged.

(2) Image competition for recreation pass

The Secretaries shall hold an annual competition to select the image to be used on the National Parks and Federal Recreational Lands Pass for a year. The competition shall be open to the public and used as a means to educate the American people about Federal recreational lands and waters.

(3) Notice of establishment

The Secretaries shall publish a notice in the Federal Register when the National Parks and Federal Recreational Lands Pass is first established and available for purchase.

(4) Duration

The National Parks and Federal Recreational Lands Pass shall be valid for a period of 12 months from the date of the issuance of the recreation pass to a passholder, except in the case of the age and disability discounted passes issued under subsection (b).

(5) Price

The Secretaries shall establish the price at which the National Parks and Federal Recreational Lands Pass will be sold to the public.

(6) Sales locations and marketing

(A) In general

The Secretary shall sell the National Parks and Federal Recreational Lands Pass at all Federal recreational lands and waters at which an entrance fee or a standard amenity recreation fee is charged and at such other locations as the Secretaries consider appropriate and feasible.

(B) Use of vendors

The Secretary may enter into fee management agreements as provided in section 6805 of this title.

(C) Marketing

The Secretaries shall take such actions as are appropriate to provide for the active marketing of the National Parks and Federal Recreational Lands Pass.

(7) Administrative guidelines

The Secretaries shall issue guidelines on administration of the National Parks and Federal Recreational Lands Pass, which shall include agreement on price, the distribution of revenues between the Federal land management agencies, the sharing of costs, benefits provided, marketing and design, adequate documentation for discounts under subsection (b), and the issuance of that recreation pass to volunteers. The Secretaries shall take into consideration all relevant visitor and sales data available in establishing the guidelines.

(8) Development and implementation agreements

The Secretaries may enter into cooperative agreements with governmental and non-

governmental entities for the development and implementation of the National Parks and Federal Recreational Lands Pass Program.

(9) Prohibition on other national recreation passes

The Secretary may not establish any national recreation pass, except as provided in this section.

(b) Discounted passes

(1) Age discount

(A) The Secretary shall make the National Parks and Federal Recreational Lands Pass available to any United States citizen or person domiciled in the United States who is 62 years of age or older, if the citizen or person provides adequate proof of such age and such citizenship or residency. The National Parks and Federal Recreational Lands Pass made available under this paragraph shall be available—

(i) for a period of 12 months from the date of the issuance, at a cost of \$20; and

(ii) for the lifetime of the passholder, at a cost equal to the cost of the National Parks and Federal Recreational Lands Pass purchased under subsection (a).

(B) The Secretary shall issue a pass under subparagraph (A)(ii), for no additional cost, to any individual who provides evidence, under policies and guidelines determined by the Secretary, that the individual has purchased a pass under subparagraph (A)(i) for each of the 4 years prior to being issued a pass under this subparagraph.

(2) Disability discount

The Secretary shall make the National Parks and Federal Recreational Lands Pass available, without charge and for the lifetime of the passholder, to the following:

(A) Any United States citizen or person domiciled in the United States who has been medically determined to be permanently disabled, within the meaning of the term “disabled” under section 12102 of title 42, if the citizen or person provides adequate proof of the disability and such citizenship or residency.

(B) Any veteran who has been found to have a service-connected disability under title 38.

(3) Gold Star Families parks pass

The Secretary shall make the National Parks and Federal Recreational Lands Pass available, at no cost, to members of Gold Star Families who meet the eligibility requirements of section 3.2 of Department of Defense Instruction 1348.36 (or a successor instruction).

(c) Site-specific agency passes

The Secretary may establish and charge a fee for a site-specific pass that will cover the entrance fee or standard amenity recreation fee for particular Federal recreational lands and waters for a specified period not to exceed 12 months.

(d) Regional multientity passes

(1) Passes authorized

The Secretary may establish and charge a fee for a regional multientity pass that will be

accepted by one or more Federal land management agencies or by one or more governmental or nongovernmental entities for a specified period not to exceed 12 months. To include a Federal land management agency or governmental or nongovernmental entity over which the Secretary does not have jurisdiction, the Secretary shall obtain the consent of the head of such agency or entity.

(2) Regional multientity pass agreement

In order to establish a regional multientity pass under this subsection, the Secretary shall enter into a regional multientity pass agreement with all the participating agencies or entities on price, the distribution of revenues between participating agencies or entities, the sharing of costs, benefits provided, marketing and design, and the issuance of the pass to volunteers. The Secretary shall take into consideration all relevant visitor and sales data available when entering into this agreement.

(e) Discounted or free admission days or use

The Secretary may provide for a discounted or free admission day or use of Federal recreational lands and waters.

(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; Pub. L. 116-205, §2, Dec. 3, 2020, 134 Stat. 996; Pub. L. 116-283, div. A, title VI, §625, Jan. 1, 2021, 134 Stat. 3677.)

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

2021—Subsec. (a)(7). Pub. L. 116-283, §625(b)(1), struck out “age and disability” before “discounts”.

Subsec. (b)(1)(A). Pub. L. 116-283, §625(b)(2)(A), substituted “this paragraph” for “this subsection” in introductory provisions.

Subsec. (b)(2). Pub. L. 116-283, §625(b)(2)(B), which directed the substitution of “this paragraph” for “this subsection”, could not be executed due to intervening amendment by Pub. L. 116-205. See 2020 Amendment note below.

Subsec. (b)(3). Pub. L. 116-283, §625(a), added par. (3).

2020—Subsec. (b)(2). Pub. L. 116-205 added par. (2) and struck out former par. (2). Prior to amendment, text read as follows: “The Secretary shall make the National Parks and Federal Recreational Lands Pass available, without charge, to any United States citizen or person domiciled in the United States who has been medically determined to be permanently disabled for purposes of section 705(20)(B)(i) of title 29, if the citizen or person provides adequate proof of the disability and such citizenship or residency. The National Parks and Federal Recreational Lands Pass made available under this subsection shall be valid for the lifetime of the passholder.”

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 4607-6a of this title” prior to substitution of “section 100904 of title 54”. See Codification note above.

EVERY KID OUTDOORS ACT

Pub. L. 116-9, title IX, §9001, Mar. 12, 2019, 133 Stat. 829, provided that:

“(a) DEFINITIONS.—In this section:

“(1) FEDERAL LAND AND WATERS.—The term ‘Federal land and waters’ means any Federal land or body of water under the jurisdiction of any of the Secretaries to which the public has access.

“(2) PROGRAM.—The term ‘program’ means the Every Kid Outdoors program established under subsection (b)(1).

“(3) SECRETARIES.—The term ‘Secretaries’ means—

“(A) the Secretary [of the Interior], acting through—

“(i) the Director of the National Park Service;

“(ii) the Director of the United States Fish and

Wildlife Service;

“(iii) the Director of the Bureau of Land Management; and

“(iv) the Commissioner of Reclamation;

“(B) the Secretary of Agriculture, acting through the Chief of the Forest Service;

“(C) the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration; and

“(D) the Secretary of the Army, acting through the Assistant Secretary of the Army for Civil Works.

“(4) STATE.—The term ‘State’ means each of the several States, the District of Columbia, American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, the Virgin Islands of the United States, and any other territory or possession of the United States.

“(5) STUDENT OR STUDENTS.—The term ‘student’ or ‘students’ means any fourth grader or home-schooled

learner 10 years of age residing in the United States, including any territory or possession of the United States.

“(b) EVERY KID OUTDOORS PROGRAM.—

“(1) ESTABLISHMENT.—The Secretaries shall jointly establish a program, to be known as the ‘Every Kid Outdoors program’, to provide free access to Federal land and waters for students and accompanying individuals in accordance with this subsection.

“(2) ANNUAL PASSES.—

“(A) IN GENERAL.—At the request of a student, the Secretaries shall issue a pass to the student, which allows access to Federal lands and waters for which access is subject to an entrance, standard amenity, or day use fee, free of charge for the student and—

“(i) in the case of a per-vehicle fee area—

“(I) any passengers accompanying the student in a private, noncommercial vehicle; or

“(II) not more than three adults accompanying the student on bicycles; or

“(ii) in the case of a per-person fee area, not more than three adults accompanying the student.

“(B) TERM.—A pass described in subparagraph (A) shall be effective during the period beginning on September 1 and ending on August 31 of the following year.

“(C) PRESENCE OF A STUDENT IN GRADE FOUR REQUIRED.—A pass described in subparagraph (A) shall be effective only if the student to which the pass was issued is present at the point of entry to the applicable Federal land or water.

“(3) OTHER ACTIVITIES.—In carrying out the program, the Secretaries—

“(A) may collaborate with State Park systems that opt to implement a complementary Every Kid Outdoors State park pass;

“(B) may coordinate with the Secretary of Education to implement the program;

“(C) shall maintain a publicly available website with information about the program;

“(D) may provide visitor services for the program; and

“(E) may support approved partners of the Federal land and waters by providing the partners with opportunities to participate in the program.

“(4) REPORTS.—The Secretary, in coordination with each Secretary described in subparagraphs (B) through (D) of subsection (a)(3), shall prepare a comprehensive report to Congress each year describing—

“(A) the implementation of the program;

“(B) the number and geographical distribution of students who participated in the program; and

“(C) the number of passes described in paragraph (2)(A) that were distributed.

“(5) SUNSET.—The authorities provided in this section, including the reporting requirement, shall expire on the date that is 7 years after the date of enactment of this Act [Mar. 12, 2019].”

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