

“(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 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.)

Editorial Notes

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.)

Editorial Notes

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, 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 original act which appears in text as reference to section 6805(a) of this title, was executed by making technical amendment in par. (3)(F) to reflect the probable intent of Congress.

§ 6808. Reports

Not later than May 1, 2006, and every 3 years thereafter, the Secretary shall submit to Congress a report detailing the status of the recreation fee program conducted for Federal recreational lands and waters, including an evaluation of the recreation fee program, examples of projects that were funded using such fees, and future projects and programs for funding with fees, and containing any recommendations for changes in the overall fee system.

(Pub. L. 108-447, div. J, title VIII, §809, Dec. 8, 2004, 118 Stat. 3389.)

§ 6809. Sunset provision

The authority of the Secretary to carry out this chapter shall terminate September 30, 2019.

(Pub. L. 108-447, div. J, title VIII, §810, Dec. 8, 2004, 118 Stat. 3389; Pub. L. 113-235, div. F, title IV, §422, Dec. 16, 2014, 128 Stat. 2449; Pub. L. 114-53, div. B, §134, Sept. 30, 2015, 129 Stat. 509, renumbered div. B, Pub. L. 114-113, §8(3), Dec. 18, 2015, 129 Stat. 2245; Pub. L. 114-223, div. C, §133, Sept. 29, 2016, 130 Stat. 914; Pub. L. 115-56, div. D, §131, Sept. 8, 2017, 131 Stat. 1145.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in text, was in the original "this Act", and was translated as reading "this title",