

114TH CONGRESS
1ST SESSION

H. R. _____

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, to authorize a pilot cabin rental program on National Forest System lands, to reform Federal Land Management Agency concessions policies, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

M____. _____ introduced the following bill; which was referred to the
Committee on _____

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, to authorize a pilot cabin rental program on National Forest System lands, to reform Federal Land Management Agency concessions policies, 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,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Federal Lands Recreation Enhancement Modernization
4 Act”.

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

Sec. 1. Short title; table of contents.

TITLE I—REFORM OF FEDERAL LANDS RECREATION
ENHANCEMENT ACT

- Sec. 101. Definitions.
- Sec. 102. Recreation fee authority.
- Sec. 103. Public participation.
- Sec. 104. Recreation passes.
- Sec. 105. Special account.
- Sec. 106. Expenditures.
- Sec. 107. Reporting requirements.
- Sec. 108. Sunset provision.
- Sec. 109. Volunteers.
- Sec. 110. Enforcement.
- Sec. 111. Conforming amendments to remaining National Park Service admission and use fees authorities under other laws and transition provision.
- Sec. 112. Additional technical corrections.

TITLE II—REFORM OF NATIONAL FOREST CABIN FEES

Sec. 201. Pilot cabin rental program for National Forest System.

TITLE III—REFORM OF FEDERAL LAND MANAGEMENT AGENCY
CONCESSIONS POLICIES

- Sec. 301. Bureau of Land Management recreation concessions authority.
- Sec. 302. Pass and discount acceptance by concessionaires.
- Sec. 303. Pilot concessionaire campground permit program for National Forest System.
- Sec. 304. Preference for maintaining concessionaire-run facilities as concessionaire run.
- Sec. 305. Consideration of new concession opportunities.
- Sec. 306. Expansion of concessionaire operating season.
- Sec. 307. Pilot program for conversion of federally owned improvements at Forest Service recreation sites to private ownership and operation.

1 **TITLE I—REFORM OF FEDERAL**
2 **LANDS RECREATION EN-**
3 **HANCEMENT ACT**

4 **SEC. 101. DEFINITIONS.**

5 (a) **NEW FEE NAMES.**—Paragraphs (1) and (2) of
6 section 802 of the Federal Lands Recreation Enhance-
7 ment Act (title VIII of division J of Public Law 108–447;
8 16 U.S.C. 6801) are amended to read as follows:

9 “(1) **DAY USE FEE.**—The term ‘day use fee’
10 means the recreation fee authorized by section
11 803(f).

12 “(2) **AMENITY FEE.**—The term ‘amenity fee’
13 means the recreation fee authorized by section
14 803(g).”.

15 (b) **FEDERAL LAND MANAGEMENT AGENCY.**—Sec-
16 tion 802(4) of the Federal Lands Recreation Enhance-
17 ment Act (16 U.S.C. 6801(4)) is amended by inserting
18 “or ‘agency’” before “means the National”.

19 (c) **RECREATION FEE.**—Section 802(8) of the Fed-
20 eral Lands Recreation Enhancement Act (16 U.S.C.
21 6801(8)) is amended by striking “standard amenity recre-
22 ation fee, expanded amenity recreation fee” and inserting
23 “day use fee, amenity fee”.

1 (d) NEW DEFINITIONS.—Section 802 of the Federal
2 Lands Recreation Enhancement Act (16 U.S.C. 6801) is
3 further amended—

4 (1) by redesignating paragraphs (10) through
5 (13) as paragraphs (11) through (14), respectively;

6 (2) by inserting after paragraph (9) the fol-
7 lowing new paragraph:

8 “(10) RECREATION SERVICE PROVIDER.—The
9 term ‘recreation service provider’ means any entity
10 that provides any recreation service on Federal rec-
11 reational lands and waters for which the provider
12 charges a fee for the service.”; and

13 (3) by adding at the end the following new
14 paragraph:

15 “(15) UNIT.—The term ‘unit’ means an indi-
16 vidual unit of the National Park System, National
17 Forest System, National Wildlife Refuge System, or
18 similar area.”.

19 (e) TECHNICAL CORRECTIONS.—Section 802 of the
20 Federal Lands Recreation Enhancement Act (16 U.S.C.
21 6801) is further amended—

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

24 (2) in paragraph (6), by striking “section 5”
25 and inserting “section 805”;

1 (3) in paragraph (9), by striking “section 5”
2 and inserting “section 805”;

3 (4) in paragraph (13), as redesignated by sub-
4 section (d)(1), by striking “section 7” and inserting
5 “section 807”; and

6 (5) in paragraph (14), as redesignated by sub-
7 section (d)(1), by striking “section 3(h)” and insert-
8 ing “section 803(h)”.

9 **SEC. 102. RECREATION FEE AUTHORITY.**

10 (a) **SOLE AUTHORITY.**—Section 803(a) of the Fed-
11 eral Lands Recreation Enhancement Act (16 U.S.C.
12 6802(a)) is amended by inserting “only” after “waters”.

13 (b) **FEE BASIS.**—Section 803(b) of the Federal
14 Lands Recreation Enhancement Act (16 U.S.C. 6802(b))
15 is amended by striking paragraphs (5) and (6) and insert-
16 ing the following new paragraph:

17 “(5) The Secretary shall consider access to
18 recreation opportunities.”.

19 (c) **LIMITATIONS.**—Section 803(d) of the Federal
20 Lands Recreation Enhancement Act (16 U.S.C. 6802(d))
21 is amended—

22 (1) in paragraph (1)—

23 (A) in the matter preceding subparagraph

24 (A), by striking “standard amenity recreation

1 fee or expanded amenity recreation fee” and in-
2 serting “day use fee or amenity fee”;

3 (B) by striking subparagraphs (A) through
4 (F) and inserting the following new subpara-
5 graph:

6 “(A) For any site, area, or activity, except
7 as specifically authorized under this section.”;
8 and

9 (C) by redesignating subparagraphs (G)
10 through (K) as subparagraphs (B) through (F),
11 respectively; and

12 (2) in paragraph (3)—

13 (A) in the matter preceding subparagraph
14 (A), by striking “standard amenity recreation
15 fee” and inserting “day use fee”; and

16 (B) in subparagraph (B), by striking “edu-
17 cational purposes by schools or bona fide aca-
18 demic institutions” and inserting “, non-rec-
19 reational educational purposes by schools or
20 bona fide academic institutions when the stu-
21 dents are pursuing academic credit and the Sec-
22 retary has provided prior approval for a fee
23 waiver”.

1 (d) ENTRANCE FEES.—Section 803(e) of the Federal
2 Lands Recreation Enhancement Act (16 U.S.C. 6802(e))
3 is amended—

4 (1) by redesignating paragraph (2) as para-
5 graph (4); and

6 (2) by inserting after paragraph (1) the fol-
7 lowing new paragraphs:

8 “(2) POLICIES.—The Secretary shall—

9 “(A) treat a motorcycle or snowmobile,
10 when used as transportation to enter a unit, as
11 a motor vehicle for the purposes of collecting
12 entrance fees and shall charge a consistent per
13 vehicle rate; and

14 “(B) determine, by agency, a nationally
15 consistent entrance fee policy and cor-
16 responding rate structure, including a schedule
17 for general visitors, commercial and non-
18 commercial recreational tours or groups, and
19 commercial air tours.

20 “(3) TRANSPORTATION SERVICES.—At a unit of
21 the National Park System where the Secretary pro-
22 vides a transportation service, either as a Govern-
23 ment service or through agreement or contract, the
24 Secretary may charge transportation users a trans-
25 portation fee alone (consistent with section 501 of

1 the National Park Omnibus Management Act of
2 1998 (16 U.S.C. 5981) and other authorities) or in
3 combination with an entrance fee. However, the
4 transportation fee or combined transportation and
5 entrance fee may not exceed the entrance fee
6 charged at other similar units as identified in the
7 national entrance fee policy under paragraph
8 (2)(B).”.

9 (e) DAY USE FEE.—Subsection (f) of section 803 of
10 the Federal Lands Recreation Enhancement Act (16
11 U.S.C. 6802) is amended to read as follows:

12 “(f) DAY USE FEE.—

13 “(1) AUTHORIZED SITES FOR DAY USE FEES.—

14 The Secretary may charge a day use fee for Federal
15 recreational lands and waters under the jurisdiction
16 of the Bureau of Land Management, the Bureau of
17 Reclamation, or the Forest Service at the following:

18 “(A) A National Conservation Area.

19 “(B) A National Volcanic Monument.

20 “(C) A destination visitor or interpretive
21 center that provides a broad range of interpre-
22 tative services, programs and media.

23 “(D) Sites of concentrated public use that
24 are managed primarily for outdoor recreation
25 purposes where there has been a substantial

1 Federal investment in facilities and services
2 that are necessary to accommodate heavy public
3 use, public access to the site is provided in such
4 a manner that fees can be effectively collected
5 at one or more centralized locations, the site
6 has regularly serviced and well maintained toilet
7 facilities and contains at least four of the fol-
8 lowing:

9 “(i) Designated developed parking.

10 “(ii) Trash collection.

11 “(iii) Permanent interpretative mate-
12 rials.

13 “(iv) Picnic tables.

14 “(v) Routine presence of agency per-
15 sonnel.

16 “(2) SINGLE FEE FOR MULTIPLE SITES.—If
17 there are two or more sites of concentrated public
18 use located within one-half mile of each other, the
19 Secretary may charge a single day use fee for the
20 sites and the area between the sites.

21 “(3) POLICY.—The Secretary shall determine,
22 by agency, a nationally consistent day use fee policy
23 and rate structure.

24 “(4) INITIAL IMPLEMENTATION.—

1 “(A) INITIAL LIST OF FEE SITES.—No
2 later than 180 days after the date of the enact-
3 ment of the Federal Lands Recreation En-
4 hancement Modernization Act, the Secretary
5 shall—

6 “(i) publish in the Federal Register
7 and on the agency’s website a list of all
8 sites for which day use fees are proposed
9 to be collected; and

10 “(ii) provide a 60-day public comment
11 period regarding such list.

12 “(B) FINAL LIST OF FEE SITES.—No later
13 than 120 days after the close of the public com-
14 ment period required by subparagraph (A)(ii),
15 the Secretary shall publish in the Federal Reg-
16 ister and on the agency’s website the final list
17 of sites for which day use fees are to be col-
18 lected.

19 “(5) TRANSITION.—The Secretary may con-
20 tinue to collect fees in effect on the date of the en-
21 actment of Federal Lands Recreation Enhancement
22 Modernization Act for a period not to exceed 180
23 days from the date the final list of day use fee sites
24 is published pursuant to paragraph (4)(B). However,

1 the Secretary may not increase or impose new fees
2 using this transition authority.”.

3 (f) AMENITY FEE.—Section 803(g) of the Federal
4 Lands Recreation Enhancement Act (16 U.S.C. 6802(g))
5 is amended—

6 (1) in the subsection heading, by striking “EX-
7 PANDED AMENITY RECREATION” and inserting
8 “AMENITY”;

9 (2) by striking paragraph (1);

10 (3) by redesignating paragraph (2) as para-
11 graph (1) and in such paragraph—

12 (A) in the matter preceding subparagraph

13 (A)—

14 (i) by striking “expanded amenity
15 recreation fee, either in addition to a
16 standard amenity fee” and inserting
17 “amenity fee, either in addition to a day
18 use fee or entrance fee”; and

19 (ii) by striking “under the jurisdiction
20 of the Forest Service, the Bureau of Land
21 Management, or the Bureau of Reclama-
22 tion, but only”;

23 (B) in subparagraph (A)—

24 (i) by striking “Tent” and inserting
25 “Developed tent”; and

1 (ii) by striking clauses (vii) through
2 (ix) and inserting the following new
3 clauses:

4 “(vii) Trash collection.

5 “(viii) Regularly serviced and well
6 maintained toilet facilities.”;

7 (C) in subparagraph (E), by inserting be-
8 fore the period the following: “when the user
9 has not paid an amenity fee under subpara-
10 graph (A) the prior night”;

11 (D) by striking subparagraph (F) and in-
12 serting the following new subparagraph:

13 “(F) Highly specialized interpretative pro-
14 grams; guided walks, talks, and tours of sub-
15 stantial length; programs that require special-
16 ized equipment; specialized non-public pro-
17 grams; and other interpretative services for
18 which the Secretary incurs significant costs.
19 However, before the Secretary may charge a fee
20 for interpretative programs, the Secretary shall
21 identify basic interpretative programs and serv-
22 ices, including tours required to provide basic
23 visitor access to a primary resource in a unit,
24 that will be provided free of charge.”;

1 (E) in subparagraph (H), by inserting be-
2 fore the period the following: “subject to sub-
3 section (e)(3)”; and

4 (F) in subparagraph (J)—

5 (i) in the matter preceding clause (i),
6 by inserting “or hot spring” after “swim-
7 ming sites”;

8 (ii) in clause (i), by striking “flush
9 toilets” and inserting “regularly serviced
10 and well maintained toilets”;

11 (iii) in clause (ii), by striking “Refuse
12 containers” and inserting “Trash collec-
13 tion”; and

14 (iv) in clause (v), by inserting “or
15 swimming instructors” after “lifeguards”;
16 and

17 (4) by adding at the end the following new
18 paragraph:

19 “(2) NATIONAL PARK SERVICE AND UNITED
20 STATES FISH AND WILDLIFE SERVICE ADDITIONAL
21 AUTHORITY.—Except as limited by subsection (d),
22 the Secretary may charge an additional amenity fee
23 at Federal recreational lands and waters under the
24 jurisdiction of the National Park Service and the
25 United States Fish and Wildlife Service when the

1 Secretary determines that the visitor uses a specific
2 or specialized facility, equipment, or service not oth-
3 erwise included under paragraph (1).”.

4 (g) SPECIAL RECREATION PERMIT AND FEE.—Sub-
5 section (h) of section 803 of the Federal Lands Recreation
6 Enhancement Act (16 U.S.C. 6802) is amended to read
7 as follows:

8 “(h) SPECIAL RECREATION PERMIT AND FEE.—

9 “(1) IN GENERAL.—The Secretary may—

10 “(A) issue a special recreation permit for
11 Federal recreational lands and waters; and

12 “(B) charge a special recreation permit fee
13 in connection with the issuance of the permit.

14 “(2) SPECIAL RECREATION PERMITS.—The
15 Secretary may issue special recreation permits in the
16 following circumstances:

17 “(A) For specialized individual and group
18 use of Federal facilities and Federal rec-
19 reational lands and waters, such as, but not
20 limited to, use of special areas or areas where
21 use is allocated, motorized recreational vehicle
22 use, and group activities or events.

23 “(B) To recreation service providers who
24 conduct outfitting, guiding, and other recre-
25 ation services on Federal recreational lands and

1 waters managed by the Forest Service, Bureau
2 of Land Management, Bureau of Reclamation,
3 and the United States Fish and Wildlife Serv-
4 ice.

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

12 “(3) REDUCTION IN FEDERAL COSTS.—To re-
13 duce Federal costs in administering this subsection,
14 the issuance of a new special recreation permit for
15 activities under paragraph (2)(B) that have been
16 considered under previous analysis or that are simi-
17 lar to existing uses or are not inconsistent with ap-
18 proved uses and will not substantially increase the
19 use of an area shall not constitute a major Federal
20 action for the purposes of the National Environ-
21 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

22 “(4) SINGLE PERMITS.—The Secretary may
23 issue a single permit, administered by one agency
24 (including the National Park Service), to authorize
25 a recreation service provider to provide services or

1 for an event on lands managed by multiple agencies.
2 The authorized official in the agency issuing the per-
3 mit under this authority must have a delegation of
4 authority for the administration of the permit from
5 the other relevant agencies and must comply with
6 the applicable laws of each relevant agency. Nothing
7 in this subsection shall alter, expand, or limit the
8 applicability of any public law or regulation to lands
9 administered by the participating agencies.

10 “(5) GUIDELINES AND PERMIT FEE CALCULA-
11 TION.—

12 “(A) GUIDELINES AND EXCLUSION OF
13 CERTAIN REVENUES.—The Secretary shall pub-
14 lish guidelines in the Federal Register for how
15 recreation permit fees shall be established that
16 will provide appropriate deductions for revenue
17 from goods, services, or activities provided by
18 the recreation service provider outside Federal
19 recreational lands and waters and a deduction
20 for fees to paid for other Federal lands if sepa-
21 rate permits are issued for a single event.

22 “(B) REVENUE EXCLUSIONS.—Revenue
23 exclusions under subparagraph (A) shall in-
24 clude, but not be limited to, revenue from goods
25 or services provided by the recreation service

1 provider outside the Federal recreational lands
2 and waters, such as—

3 “(i) costs for transportation, lodging,
4 and other services before or after a trip be-
5 gins;

6 “(ii) deductions for activities outside
7 public lands or on other Federal lands if
8 separate permits are issued.

9 “(C) FEE CONDITIONS.—The fee charged
10 by the Secretary for a permit issued under
11 paragraph (2)(B) shall not exceed 3 percent of
12 the recreational service provider’s annual gross
13 revenue for activities authorized by the permit,
14 plus applicable revenue additions, minus appli-
15 cable revenue exclusions or a similar flat per
16 person fee. The fee charged by the Secretary
17 for a permit issued under paragraph (2)(C)
18 shall include appropriate reductions and addi-
19 tions based on the direct costs incurred by the
20 Secretary for management of the event.

21 “(6) STEWARDSHIP PROGRAM.—

22 “(A) ESTABLISHMENT.—Within 18
23 months after the date of the enactment of the
24 Federal Lands Recreation Enhancement Mod-
25 ernization Act, the Secretary shall establish, at

1 no fewer than 20 sites located on Federal rec-
2 reational lands and waters administered by the
3 Forest Service and the Bureau of Land Man-
4 agement, a stewardship program for recreation
5 service providers involving credit against a re-
6 quired special recreation permit fee in exchange
7 for otherwise unreimbursed maintenance and
8 resource protection work performed with the
9 permission of the relevant Federal agency.

10 “(B) ELIGIBILITY.—Under the steward-
11 ship program required by this paragraph, a
12 recreation service provider shall submit to the
13 Secretary—

14 “(i) the provider’s qualifications to
15 adequately and safely perform the pro-
16 posed maintenance and resource protection
17 work;

18 “(ii) an itemized accounting of labor
19 and material costs associated with such
20 maintenance and resource protection work;

21 “(iii) a commitment to share the costs
22 of the proposed maintenance and resource
23 protection work; and

1 “(iv) permission from the relevant
2 Federal agency to perform the proposed
3 maintenance and resource protection work.

4 “(C) REVIEW AND APPROVAL.—The Sec-
5 retary shall review promptly a proposal sub-
6 mitted to participate in the stewardship pro-
7 gram and approve any such submission that the
8 Secretary finds adequately meets the eligibility
9 criteria specified in subparagraph (B).

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

14 (h) ADDITIONAL PROVISIONS.—Section 803 of the
15 Federal Lands Recreation Enhancement Act (16 U.S.C.
16 6802) is further amended by adding at the end the fol-
17 lowing new subsections:

18 “(i) NOTICE OF RECREATIONAL FEES AND RECRE-
19 ATION PASSES.—The Secretary shall post clear notice of
20 any fee and available recreation passes at appropriate lo-
21 cations at each site of Federal recreational lands and
22 waters for which any fee is charged. The Secretary shall
23 include such notice in publications distributed at the unit
24 and on agency websites.

1 “(j) USE OF TECHNOLOGY.—To the extent prac-
2 ticable, the Secretary shall use technology and automation
3 to increase accountability, efficiency, and the convenience
4 of paying recreation fees.

5 “(k) PLANS FOR REDUCTION OF TRAFFIC DELAYS
6 AT ENTRANCE STATIONS.—The Secretaries shall—

7 “(1) establish goals to reduce traffic delays at
8 entrance stations of heavily visited units; and

9 “(2) submit to the Committee on Natural Re-
10 sources of the House of Representatives and the
11 Committee on Energy and Natural Resources of the
12 Senate a plan to achieve such goals.

13 “(l) PROCESS FOR IMPLEMENTATION OF PROPOSED
14 ENTRANCE FEE, DAY USE FEE, OR AMENITY FEE
15 CHANGES.—

16 “(1) PROHIBITION ON NEW FEES OR FEE IN-
17 CREASES.—Except in the manner provided in this
18 subsection, the Secretaries may not—

19 “(A) impose any new entrance fees, day
20 use fees, or amenity fees; or

21 “(B) increase any entrance fee, day use
22 fee, or amenity fee above the rate in effect as
23 of the date of the enactment of Federal Lands
24 Recreation Enhancement Modernization Act.

1 “(2) ANNUAL SUBMISSION OF PROPOSED FEE
2 CHANGES.—Not later than June 1 of each year, the
3 Secretaries shall submit to the Committee on Nat-
4 ural Resources of the House of Representatives and
5 the Committee on Energy and Natural Resources of
6 the Senate a list of—

7 “(A) all new entrance fees, day use fees, or
8 amenity fees proposed to be imposed by Federal
9 land management agencies for Federal rec-
10 reational lands and waters; and

11 “(B) all increases to existing entrance fees,
12 day use fees, or amenity fees proposed to be
13 made by Federal land management agencies for
14 Federal recreational lands and waters.

15 “(3) PUBLIC PARTICIPATION AND SUBMISSION
16 TO LOCAL GOVERNMENTS.—

17 “(A) PUBLIC PARTICIPATION.—Before in-
18 cluding a new or increased entrance fee, day
19 use fee, or amenity fee on the list submitted
20 under paragraph (2) for a year, the Secretaries
21 shall comply with the requirements of para-
22 graphs (2), (3), and (4) of section 804(b) re-
23 garding providing public notice and an oppor-
24 tunity for public comment for at least 60 days.

1 “(B) SUBMISSION TO LOCAL GOVERN-
2 MENTS AND REQUEST FOR COMMENTS.—Before
3 including a new or increased entrance fee, day
4 use fee, or amenity fee on the list submitted
5 under paragraph (2) for a year, the Secretaries
6 shall provide affected local governments with—

7 “(i) a written notice of the proposed
8 fee, including the amount of the fee or in-
9 crease; and

10 “(ii) a request for comments from the
11 affected local government regarding the
12 merits of the fee or increase and the eco-
13 nomic impact of the fee or increase on the
14 local community.

15 “(C) TIME FOR SUBMISSION OF COM-
16 MENTS.—The period provided for submission of
17 local comments under subparagraph (B)(ii) to
18 the Secretaries may run concurrently with the
19 period for public comments required by section
20 804(b)(3).

21 “(D) INCLUSION OF COMMENTS.—The list
22 submitted under paragraph (2) for a year shall
23 include all comments received from affected
24 local governments in response to the notice pro-
25 vided under subparagraph (A).

1 “(E) AFFECTED LOCAL GOVERNMENTS
2 DEFINED.—In this paragraph, the term ‘af-
3 fected local government’ means the governing
4 body of a political subdivision of a State—

5 “(i) whose boundaries contain all or
6 part of the Federal recreational lands and
7 waters to be subject to the new or in-
8 creased entrance fee, day use fee, or amen-
9 ity fee; or

10 “(ii) that the Secretary determines
11 may be economically impacted by the new
12 or increased fee.

13 “(4) EMERGENCY SITUATIONS.—If the Secre-
14 taries determine that recreational opportunities on
15 Federal recreational lands and waters would be se-
16 verely curtailed or that an emergency affecting
17 human health or unforeseen events exists, the Secre-
18 taries may submit notice of a proposed selective new
19 or increased entrance fee, day use fee, or amenity
20 fee to the congressional committees referred to in
21 paragraph (2) outside of the annual list submitted
22 under such paragraph.

23 “(5) CONGRESSIONAL REVIEW AND AP-
24 PROVAL.—A new or increased entrance fee, day use
25 fee, or amenity fee proposed for Federal recreational

1 lands and waters and included on a list submitted
2 under paragraph (2) for a year or included in a no-
3 tice submitted under paragraph (4) may not take ef-
4 fect unless such new fee or fee increase is approved
5 by an Act of Congress enacted after the date of the
6 submission of the list or notice.

7 “(6) CERTAIN FEES EXCEPTED.—This sub-
8 section does not apply—

9 “(A) to special recreation permit fees; or

10 “(B) consistent with section 814(e) (16
11 U.S.C. 6813(e)), to fees charged by a third
12 party for providing a good or service to a visitor
13 of Federal recreational lands and waters.

14 “(m) GRANDFATHERING EXISTING PERMITS.—Any
15 special recreation permit issued under this title before the
16 date of the enactment of the Federal Lands Recreation
17 Enhancement Modernization Act shall continue—

18 “(1) to be managed pursuant to this section, as
19 in effect on the day before the date of the enactment
20 of the Federal Lands Recreation Enhancement Mod-
21 ernization Act; and

22 “(2) to be valid and remain in effect, under its
23 terms and notwithstanding section 810, until the
24 permit expires, is revoked, or is suspended according
25 to the terms of the permit.”.

1 (i) TECHNICAL CORRECTIONS.—Section 803(d) of
2 the Federal Lands Recreation Enhancement Act (16
3 U.S.C. 6802(d)) is further amended—

4 (1) in paragraph (1)—

5 (A) in the matter preceding subparagraph
6 (A), by striking “this Act” and inserting “this
7 title”; and

8 (B) in subparagraph (B), as redesignated
9 by subsection (c)(1)(C), by striking “part of the
10 Federal-aid System” and inserting “Federal-aid
11 highway”; and

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

14 **SEC. 103. PUBLIC PARTICIPATION.**

15 Section 804 of the Federal Lands Recreation En-
16 hancement Act (16 U.S.C. 6803) is amended—

17 (1) in subsection (a), by striking “this Act” and
18 inserting “this title”; and

19 (2) by striking subsections (b), (c), (d), and (e)
20 and inserting the following new subsections:

21 “(b) ENTRANCE FEES, DAY USE FEES, AND AMEN-
22 ITY FEES.—For entrance fees, day use fees, and amenity
23 fees, the Secretary shall—

1 “(1) publish in the Federal Register notice of
2 any unit that will be newly subject to an entrance
3 fee, day use fee, or amenity fee;

4 “(2) publish on the website recreation.gov or
5 another similar interagency website, in local news-
6 papers, on agency websites, at proposed and estab-
7 lished collection points, on social media applications,
8 and in publications distributed near the site for
9 which the fee would be collected—

10 “(A) any proposed new or increased fee;

11 “(B) the unit and agency proposing the
12 new or increased fee;

13 “(C) the process by which to comment on
14 the proposed new or increased fee; and

15 “(D) subject to paragraph (3), when the
16 opportunity for comment closes;

17 “(3) allow at least 60 days public comment
18 after publication of notice under paragraph (2);

19 “(4) subject to section 803(l), at least 120 days
20 before the implementation of the new or increased
21 fee, publish notice of a decision to implement a new
22 or increased fee in local newspapers, on the agency
23 websites, at proposed and established collection
24 points, on social media applications, and in publica-

1 tions distributed near the site for which the fee will
2 be collected; and

3 “(5) not less frequently than every other year,
4 solicit public comment for at least 60 days on how
5 fee revenue should be expended at each unit.

6 “(c) SPECIAL RECREATION PERMIT FEES.—For spe-
7 cial recreation permit fees authorized by section
8 803(h)(2)(A), the Secretary shall—

9 “(1) if the fee is for reoccurring recreational
10 uses for which standard fee rates can be established,
11 follow the procedures in subsection (b); and

12 “(2) if the fee is based on recovering the costs
13 associated with issuing and managing the permit, es-
14 tablish guidelines for how fees will be established
15 and publish the guidelines in the Federal Register.”.

16 **SEC. 104. RECREATION PASSES.**

17 (a) AMERICA THE BEAUTIFUL—THE NATIONAL
18 PARKS AND FEDERAL RECREATIONAL LANDS PASS.—
19 Section 805(a) of the Federal Lands Recreation Enhance-
20 ment Act (16 U.S.C. 6804(a)) is amended—

21 (1) in paragraph (1)—

22 (A) by striking “shall cover the entrance
23 fee and standard amenity recreation fee” and
24 inserting “shall be available to United States

1 citizens and permanent residents and cover the
2 entrance fee and day use fee”; and

3 (B) by striking “standard amenity recre-
4 ation fee” the second place it appears and in-
5 serting “day use fee”;

6 (2) in paragraph (2)—

7 (A) by striking “shall hold an annual” and
8 inserting “may hold a”; and

9 (B) by striking “for an year.” and all that
10 follows through the end of the following sen-
11 tence and inserting a period;

12 (3) in paragraph (5), by adding at the end the
13 following new sentence: “The Secretaries shall ad-
14 just the price of the National Parks and Federal
15 Recreational Lands Pass once every three years to
16 reflect the change in the Consumer Price Index for
17 All Urban Consumers (CPI-U) over the same pe-
18 riod, rounding figures so as to increase or decrease
19 the price in even five-dollar increments.”;

20 (4) in paragraph (6)(A), by striking “standard
21 amenity recreation fee” and inserting “day use fee”;

22 (5) in paragraph (9), by adding “or discount
23 pass” after “pass”; and

24 (6) by adding at the end the following new
25 paragraph:

1 “(10) PASS USE STUDY.—The Secretaries shall
2 conduct a study to evaluate how, where, and the ex-
3 tent to which the National Parks and Federal Rec-
4 reational Lands Pass is used and shall submit to the
5 Committee on Natural Resources of the House of
6 Representatives and the Committee on Energy and
7 Natural Resources of the Senate a report containing
8 the results of the study.”.

9 (b) DISCOUNTED PASSES.—Section 805(b) of the
10 Federal Lands Recreation Enhancement Act (16 U.S.C.
11 6804(b)) is amended—

12 (1) in paragraph (2), by inserting “or is a vet-
13 eran with a service-connected disability, as defined
14 in section 101 of title 38, United States Code” be-
15 fore “, if the citizen or person”; and

16 (2) by adding at the end the following new
17 paragraphs:

18 “(3) UNITED STATES ARMED FORCES DIS-
19 COUNT.—The Secretary may make the National
20 Parks and Federal Recreational Lands Pass avail-
21 able, without charge, to any member of the United
22 States Army, Navy, Air Force, Marine Corps, and
23 Coast Guard if such person presents a Common Ac-
24 cess card or similar identification as determined by
25 the Secretary.

1 “(4) YOUTH VISITATION DISCOUNT.—The Sec-
2 retary may provide one additional discount to pro-
3 mote youth visitation to Federal recreational lands
4 and waters.

5 “(5) AMENITY FEE DISCOUNT.—

6 “(A) DISCOUNT AVAILABLE.—The Na-
7 tional Parks and Federal Recreational Lands
8 Pass made available under paragraphs (1) and
9 (2) shall include a discount on the amenity fee
10 charged under section 803(g)(1)(A).

11 “(B) EXCEPTION.—

12 “(i) NO-DISCOUNT DAYS ON AMENITY
13 FEES.—The Secretaries shall specify cer-
14 tain days during a calendar year on which
15 a National Parks and Federal Recreational
16 Lands Pass or other recreational pass
17 issued under this section, issued under sec-
18 tion 4 of the Land and Water Conserva-
19 tion Fund Act of 1965 (16 U.S.C. 460l-
20 6a) or title VI of the National Parks Om-
21 nibus Management Act of 1998 (16 U.S.C.
22 5991 et seq.), or issued pursuant to the
23 authority of section 813(a) will not be ac-
24 cepted to obtain a discount on an amenity
25 fee. This exception does not apply to the

1 Golden Age Passport and Golden Access
2 Passport, which specifically require such a
3 discount.

4 “(ii) INCLUSION OF CERTAIN DAYS.—
5 The no-discount days required by clause
6 (i)—

7 “(I) shall include Memorial Day
8 (and the Saturday and Sunday imme-
9 diately preceding Memorial Day), the
10 Fourth of July, and Labor Day (and
11 the Saturday and Sunday immediately
12 preceding Labor Day); and

13 “(II) may include up to two addi-
14 tional days specified by the Secre-
15 taries.

16 “(iii) PUBLIC NOTICE.—The Secre-
17 taries shall provide notice of no-discount
18 days on the website recreation.gov or an-
19 other similar interagency website, in local
20 newspapers, on agency websites, at pro-
21 posed and established fee collection points,
22 on social media applications, and in publi-
23 cations distributed near Federal rec-
24 reational lands and waters.

1 “(6) PROHIBITION ON OTHER DISCOUNTED
2 PASSES.—The Secretary may not establish any dis-
3 counted passes except as provided in this section.”.

4 (c) SITE-SPECIFIC AGENCY PASSES.—Section 805(c)
5 of the Federal Lands Recreation Enhancement Act (16
6 U.S.C. 6804(c)) is amended by striking “standard amen-
7 ity recreation fee” and inserting “day use fee”.

8 (d) FREE ADMISSION DAYS.—Subsection (e) of sec-
9 tion 805 of the Federal Lands Recreation Enhancement
10 Act (16 U.S.C. 6804) is amended to read as follows:

11 “(e) FREE ADMISSION DAYS.—The Secretary may
12 provide for one or more free admission days for Federal
13 recreational lands and waters.”.

14 (e) TECHNICAL CORRECTION.—Section 805(a)(6)(B)
15 of the Federal Lands Recreation Enhancement Act (16
16 U.S.C. 6804(a)(6)(B)) is amended by striking “section 6”
17 and inserting “section 6805”.

18 **SEC. 105. SPECIAL ACCOUNT.**

19 (a) DISTRIBUTION OF REVENUES.—Section
20 807(c)(1) of the Federal Lands Recreation Enhancement
21 Act (16 U.S.C. 6806(c)(1)) is amended—

22 (1) by striking “or area” each place it appears;

23 (2) in subparagraph (A), by striking “80 per-
24 cent” and inserting “90 percent”; and

1 (3) in subparagraph (B), by adding at the end
2 the following new sentence: “The Secretary shall
3 provide notice to the Committee on Natural Re-
4 sources of the House of Representatives and the
5 Committee on Energy and Natural Resources of the
6 Senate whenever an allocation is being reduced.”.

7 (b) **TECHNICAL CORRECTIONS.**—Section 807 of the
8 Federal Lands Recreation Enhancement Act (16 U.S.C.
9 6806) is amended—

10 (1) in subsection (b), by striking “this Act” and
11 inserting “this title”;

12 (2) in subsection (d), by striking “section
13 5(a)(7)” and inserting “section 6804(a)(7)”; and

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

16 **SEC. 106. EXPENDITURES.**

17 (a) **USE OF FEES AT SPECIFIC SITE OR AREA.**—Sec-
18 tion 808(a) of the Federal Lands Recreation Enhance-
19 ment Act (16 U.S.C. 6807(a)) is amended—

20 (1) by redesignating paragraphs (2) and (3) as
21 paragraphs (4) and (5), respectively;

22 (2) by inserting after paragraph (1) the fol-
23 lowing new paragraph:

24 “(2) shall be used to develop and enhance exist-
25 ing recreation opportunities;

1 “(3) shall directly benefit visitors to Federal
2 recreational lands and waters;” and

3 (3) in paragraph (5), as redesignated by para-
4 graph (1)—

5 (A) in subparagraph (A), by inserting “vis-
6 itor” before “health”; and

7 (B) by striking subparagraph (E) and in-
8 serting the following new subparagraph:

9 “(E) capital construction costs associated
10 with administering the recreation fee program;
11 and”.

12 (b) LIMITATION ON USE OF FEES.—Section 808(b)
13 of the Federal Lands Recreation Enhancement Act (16
14 U.S.C. 6807(b)) is amended—

15 (1) by striking “The Secretary” and inserting
16 the following:

17 “(1) USE FOR BIOLOGICAL MONITORING PRO-
18 HIBITED.—The Secretary”; and

19 (2) by adding at the end the following new
20 paragraphs:

21 “(2) USE TO REDUCE VISITOR ACCESS PROHIB-
22 ITED.—The Secretary may not use any recreation
23 fees to reduce or limit visitor access to Federal rec-
24 reational lands and waters.

1 “(3) FACILITY-RELATED PROHIBITIONS.—The
2 Secretary may not use any recreation fees to remove
3 or close a facility unless the facility is being replaced
4 or updated.

5 “(4) LAND OR WATER ACQUISITION PROHIB-
6 ITED.—The Secretary may not use any recreation
7 fees for the acquisition of lands or waters.”.

8 (c) OVERHEAD, ADMINISTRATIVE, AND COLLECTION
9 COSTS CAP.—Subsection (c) of section 808 of the Federal
10 Lands Recreation Enhancement Act (16 U.S.C. 6807) is
11 amended to read as follows:

12 “(c) OVERHEAD, ADMINISTRATIVE, AND COLLEC-
13 TION COSTS CAP.—

14 “(1) OVERHEAD AND ADMINISTRATIVE
15 COSTS.—The Secretary may not use more than five
16 percent of total revenues collected annually under
17 this title for overhead and administrative costs.

18 “(2) COLLECTION COSTS.—The Secretary may
19 not expend more than 20 percent of total revenues
20 collected annually under this title for all direct fee
21 collection costs.

22 “(3) USE OF CERTAIN REVENUES.—Revenues
23 from special recreation permits issued to recreation
24 service providers under subparagraphs (B) and (C)
25 of section 803(h)(1) shall be used—

1 “(A) to partially offset the Secretary’s di-
2 rect cost of administering the permits; and

3 “(B) to improve and stream-line the per-
4 mitting process.”.

5 (d) NOTICE OF FEE PROJECTS.—Section 808 of the
6 Federal Lands Recreation Enhancement Act (16 U.S.C.
7 6807) is amended by adding at the end the following new
8 subsection:

9 “(e) NOTICE OF FEE PROJECTS.—To the extent
10 practicable, the Secretary shall post clear notice of loca-
11 tions where work is performed using recreation fee or
12 recreation pass revenues collected under this title.”.

13 (e) TECHNICAL CORRECTIONS.—Section 808 of the
14 Federal Lands Recreation Enhancement Act (16 U.S.C.
15 6807) is further amended—

16 (1) in subsection (a)(5)(F), as redesignated by
17 subsection (a)(1), by striking “section 6(a)” and in-
18 serting “section 6805(a)”; and

19 (2) in subsection (d)—

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

22 (B) in paragraph (1), by striking “section
23 5(a)(7)” and inserting “section 6804(a)(7)”;

24 and

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

3 **SEC. 107. REPORTING REQUIREMENTS.**

4 Section 809 of the Federal Lands Recreation En-
5 hancement Act (16 U.S.C. 6808) is amended to read as
6 follows:

7 **“SEC. 809. REPORTS.**

8 “(a) **COST ACCOUNTING SYSTEMS.**—The Secretaries
9 shall develop and maintain cost accounting systems nec-
10 essary to accurately track, manage, and report fee receipts
11 and expenditures at each unit. The Secretaries may ex-
12 pend fee revenues to acquire and develop such systems as
13 needed, as a direct operating or administration cost al-
14 lowed under section 808(c).

15 “(b) **ANNUAL REVENUE AND EXPENDITURE RE-**
16 **PORT.**—No later than May 1, 2016, and annually there-
17 after, the Secretaries shall compile, for each Federal land
18 management agency by unit, an accounting for the pre-
19 ceding fiscal year of—

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

22 “(2) expenditures by project from the special
23 accounts established pursuant to section 807(a);

24 “(3) a description of how expenditure benefitted
25 visitors to the unit;

1 “(4) any new fees established; and

2 “(5) any changes in existing fees.

3 “(c) SUBMISSION.—No later than June 1 of each
4 year, the Secretaries shall—

5 “(1) display all information required under sub-
6 section (b) prominently on the website of each Fed-
7 eral land management agency and on the website
8 recreation.gov or another similar interagency
9 website; and

10 “(2) provide notice of the availability of such
11 information to the Committee on Natural Resources
12 of the House of Representatives and the Committee
13 on Energy and Natural Resources of the Senate.

14 “(d) AUDITS.—The Secretary shall develop a pro-
15 gram of regular audits at fee collection units to ensure
16 accountability of funds collected under this title and all
17 expenditures under this title.”

18 **SEC. 108. SUNSET PROVISION.**

19 Section 810 of the Federal Lands Recreation En-
20 hancement Act (16 U.S.C. 6809) is amended—

21 (1) by striking “this Act” and inserting “this
22 title”; and

23 (2) by striking “10 years after the date of the
24 enactment of this Act” and inserting “on December
25 31, 2022”.

1 **SEC. 109. VOLUNTEERS.**

2 (a) WAIVER OR DISCOUNT OF FEES; SITE-SPECIFIC
3 AGENCY PASS.—Section 811(b) of the Federal Lands
4 Recreation Enhancement Act (16 U.S.C. 6810(b)) is
5 amended by striking “standard amenity recreation fee, or
6 an expanded amenity recreation fee” and inserting “day
7 use fee, or amenity fee”.

8 (b) TECHNICAL CORRECTIONS.—Section 811 of the
9 Federal Lands Recreation Enhancement Act (16 U.S.C.
10 6810) is amended—

11 (1) in subsection (b), by striking “section 5(c)”
12 and inserting “section 6804(c)”;

13 (2) in subsection (c), by striking “section
14 5(a)(7)” and inserting “section 6804(a)(7)”; and

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

17 **SEC. 110. ENFORCEMENT.**

18 (a) REQUIRED PAYMENT.—Section 812 of the Fed-
19 eral Lands Recreation Enhancement Act (16 U.S.C.
20 6811) is amended—

21 (1) by redesignating subsections (b), (c), and
22 (d) as subsections (c), (d), and (e), respectively; and

23 (2) by inserting after subsection (a) the fol-
24 lowing new subsection:

25 “(b) REQUIRED PAYMENT.—

1 “(1) IN GENERAL.—Any person within a site or
2 an area for which an entrance fee or day use fee is
3 charged is required to pay the entrance fee or day
4 use fee.

5 “(2) EXCEPTION.—Paragraph (1) does not
6 apply to a person who—

7 “(A) is using a valid National Parks and
8 Federal Recreational Lands Pass; or

9 “(B) is a volunteer with a waiver or dis-
10 count of fees under section 811(b).

11 “(3) RECEIPT.—Upon payment of an entrance
12 fee or day use fee by a person, the Secretary shall
13 provide for the issuance to the person of a non-
14 transferable receipt or other form of proof of pay-
15 ment, valid for entry and reentry into the same site
16 or area for a period of no less than one day.”.

17 (b) TECHNICAL CORRECTIONS.—Section 812 of the
18 Federal Lands Recreation Enhancement Act (16 U.S.C.
19 6811) is further amended—

20 (1) in subsection (a), by striking “this Act” and
21 inserting “this title”; and

22 (2) in subsection (e), as redesignated by sub-
23 section (a)(1), by striking “this Act” and inserting
24 “this title”.

1 **SEC. 111. CONFORMING AMENDMENTS TO REMAINING NA-**
2 **TIONAL PARK SERVICE ADMISSION AND USE**
3 **FEES AUTHORITIES UNDER OTHER LAWS**
4 **AND TRANSITION PROVISION.**

5 (a) CONFORMING AMENDMENTS.—Section 100904 of
6 title 54, United States Code, is amended—

7 (1) in subsection (c)—

8 (A) in paragraph (1), by striking the first
9 sentence and inserting the following new sen-
10 tence: “As provided in section 811(a) of the
11 Federal Lands Recreation Enhancement Act
12 (16 U.S.C. 6810(a)), the Secretary may use
13 volunteers, as appropriate, to collect recreation
14 fees and sell recreation passes authorized under
15 such Act.”; and

16 (B) in paragraph (2), by striking “(includ-
17 ing Golden Eagle Passports)”;

18 (2) by striking subsections (d) and (e); and

19 (3) by redesignating subsection (f) as sub-
20 section (d), and in such subsection—

21 (A) by striking paragraphs (1) through (4)
22 and inserting the following new paragraph:

23 “(1) ESTABLISHMENT.—Section 803 of the
24 Federal Lands Recreation Enhancement Act (16
25 U.S.C. 6802) shall apply with respect to the estab-
26 lishment of a commercial tour use fee for vehicles

1 entering a System unit for the purpose of providing
2 commercial tour services within the System unit.”;
3 and

4 (B) by redesignating paragraph (5) as
5 paragraph (2).

6 (b) TRANSITION.—Section 813 of the Federal Lands
7 Recreation Enhancement Act (16 U.S.C. 6812) is amend-
8 ed by adding at the end the following new subsection:

9 “(g) TRANSITION.—The Secretaries may continue to
10 collect other recreational fees in existence on the date of
11 the enactment of the Federal Lands Recreation Enhance-
12 ment Modernization Act for up to 18 months after the
13 date of the enactment of such Act during which time the
14 Secretaries shall bring their relevant recreation fee struc-
15 tures into compliance with the amendments made by such
16 Act.”.

17 (c) TECHNICAL CORRECTIONS.—Section 813 of the
18 Federal Lands Recreation Enhancement Act (16 U.S.C.
19 6812) is further amended—

20 (1) in subsection (a), by striking “section
21 5(a)(3)” and inserting “section 6804(a)(3)”;

22 (2) in subsection (d), by striking “section
23 5(a)(3)” and inserting “section 6804(a)(3)”;

24 (3) in subsection (e)—

25 (A) in paragraph (1)—

1 (i) by striking “this Act” both places
2 it appears and inserting “this title”; and

3 (ii) by striking “section 7” and insert-
4 ing “section 6806”;

5 (B) in paragraph (2)—

6 (i) by striking “this Act” and insert-
7 ing “this title”; and

8 (ii) by striking “section 5(a)(3)” and
9 inserting “section 6804(a)(3)”;

10 (C) in paragraph (3), by striking “this
11 Act” both places it appears and inserting “this
12 title”; and

13 (D) in paragraph (4), by striking “this
14 Act” both places it appears and inserting “this
15 title”; and

16 (4) in subsection (f), by striking “this Act”
17 both places it appears and inserting “this title”.

18 **SEC. 112. ADDITIONAL TECHNICAL CORRECTIONS.**

19 Section 814 of the Federal Lands Recreation En-
20 hancement Act (16 U.S.C. 6813) is amended—

21 (1) in subsection (a), by striking “this Act” and
22 inserting “this title”;

23 (2) in subsection (b)—

24 (A) in the matter preceding paragraph

25 (1)—

1 (i) by striking “this Act” and insert-
2 ing “this title”; and
3 (ii) by striking “section 6(a)” and in-
4 serting “section 6805(a)”; and
5 (B) in paragraph (5), by striking “August
6 8, 1937” and inserting “August 28, 1937”; and
7 (3) in subsections (e) through (f), by striking
8 “this Act” each place it appears and inserting “this
9 title”.

10 **TITLE II—REFORM OF NATIONAL** 11 **FOREST CABIN FEES**

12 **SEC. 201. PILOT CABIN RENTAL PROGRAM FOR NATIONAL** 13 **FOREST SYSTEM.**

14 Section 3024 of the Carl Levin and Howard P.
15 “Buck” McKeon National Defense Authorization Act for
16 Fiscal Year 2015 (Public Law 113–291; 16 U.S.C. 6214)
17 is amended by adding at the end the following new sub-
18 section:

19 “(1) PILOT CABIN RENTAL PROGRAM.—

20 “(1) PILOT PROGRAM AUTHORIZED.—The Sec-
21 retary may conduct a pilot cabin rental program
22 under which the Secretary will issue a special use
23 permit for the use and occupancy of National Forest
24 System land for recreational residence purposes at a
25 fee greater than the incidental rental otherwise al-

1 lowed under this section or the Cabin User Fee
2 Fairness Act of 2000 (16 U.S.C. 6201 et seq.).

3 “(2) PUBLIC COMMENT AND INVOLVEMENT.—
4 In developing the pilot program, the Secretary shall
5 solicit comments from and seek the involvement of
6 owners of recreational residences in the vicinity of
7 the proposed pilot program site and the National
8 Forest Homeowners association.

9 “(3) FUNDING SOURCE.—Effective October 1,
10 2016, the Secretary may use fees referred to in sub-
11 section (j)(1) to administer the pilot program and to
12 support other recreation opportunities in the vicinity
13 of the pilot program.”.

14 **TITLE III—REFORM OF FEDERAL**
15 **LAND MANAGEMENT AGENCY**
16 **CONCESSIONS POLICIES**

17 **SEC. 301. BUREAU OF LAND MANAGEMENT RECREATION**
18 **CONCESSIONS AUTHORITY.**

19 (a) RECREATION CONCESSION PERMIT AUTHOR-
20 ITY.—The Secretary of the Interior may issue a recreation
21 concession permit to authorize a third party to provide fa-
22 cilities and services to visitors on public lands managed
23 by the Bureau of Land Management in support of outdoor
24 recreational opportunities in accordance with the applica-
25 ble land use plan.

1 (b) COMPENSATION.—A recreation concession permit
2 issued under the authority of this section shall provide for
3 monetary compensation to the Federal Government for the
4 rights and privileges provided, with collected funds depos-
5 ited in the accounts established under section 807 of the
6 Federal Lands Recreation Enhancement Act (16 U.S.C.
7 6806), to be available without further appropriation and
8 to remain available until expended.

9 (c) TREATMENT OF EXISTING RECREATION CONCES-
10 SIONS AND RECREATION LEASE AGREEMENTS.—Facili-
11 ties and services provided under a recreation concession
12 and recreation lease agreement in effect on the date of
13 the enactment of this Act regarding public lands managed
14 by the Bureau of Land Management may continue pursu-
15 ant to the terms and conditions of the agreement.

16 **SEC. 302. PASS AND DISCOUNT ACCEPTANCE BY CONCES-**
17 **SIONAIRES.**

18 (a) PASS AND DISCOUNT ACCEPTANCE BY CONCES-
19 SIONAIRES.—Subject to valid existing rights, and to the
20 extent reimbursement is practical, the Secretary of the In-
21 terior and the Secretary of Agriculture shall require con-
22 cessionaires operating federally owned campgrounds and
23 day use facilities on Federal recreational lands and waters
24 under the jurisdiction of the Secretary to accept a Na-
25 tional Parks and Federal Recreational Lands Pass or

1 other recreational pass issued under section 805 of the
2 Federal Lands Recreation Enhancement Act (16 U.S.C.
3 6804), issued under section 4 of the Land and Water Con-
4 servation Fund Act of 1965 (16 U.S.C. 4601–6a) or title
5 VI of the National Parks Omnibus Management Act of
6 1998 (16 U.S.C. 5991 et seq.)(before their repeal by sec-
7 tion 813 of the Federal Lands Recreation Enhancement
8 Act (16 U.S.C. 6812), or issued pursuant to the authority
9 of such section 813 for discounted or free use.

10 (b) REIMBURSEMENT.—To the extent practicable,
11 the Secretary of the Interior and the Secretary of Agri-
12 culture shall reimburse a concessionaire in part or in
13 whole for acceptance under subsection (a) of a recreational
14 pass specified in such subsection in an amount not to ex-
15 ceed the total land use or franchise fee due to the Federal
16 Government.

17 (c) EFFECT OF PASS ACCEPTANCE BY CONCES-
18 SIONAIRES.—A concession contract or permit for recre-
19 ation services that is otherwise within the scope of an ex-
20 emption from chapter 67 of title 41, United States Code,
21 shall not be outside the scope of that exemption because
22 the concessionaire or recreation service provider accepts
23 a recreational pass specified in subsection (a) for dis-
24 counted or free use.

1 **SEC. 303. PILOT CONCESSIONAIRE CAMPGROUND PERMIT**
2 **PROGRAM FOR NATIONAL FOREST SYSTEM.**

3 (a) PILOT PROGRAM AUTHORIZED.—The Secretary
4 of Agriculture may conduct a pilot concessionaire camp-
5 ground permit program under which the Secretary may
6 authorize a permittee to provide enhanced or alternative
7 overnight facilities and such additional natural resource-
8 based recreational activities and associated facilities on the
9 National Forest System land subject to the permit as the
10 Secretary determines to be appropriate to encourage
11 greater outdoor recreation and enjoyment of nature.

12 (b) ELEMENTS OF PERMIT.—A concessionaire camp-
13 ground permit under the pilot program, and each activity
14 or facility authorized under the permit, shall—

15 (1) to the extent practicable, harmonize with
16 the natural environment of the National Forest Sys-
17 tem land subject to the permit;

18 (2) to the extent practicable, be located within
19 the developed portions of the permitted area;

20 (3) provide guarantee of removal of improve-
21 ments through bonding or other means should the
22 permittee default; and

23 (4) be subject to such other terms and condi-
24 tions as the Secretary of Agriculture determines to
25 be appropriate.

1 (c) APPLICABLE LAW.—The Secretary of Agriculture
2 shall conduct the pilot program in accordance with the
3 land and resource management plan applicable to the Na-
4 tional Forest System land subject to the permit and appli-
5 cable laws (including regulations).

6 (d) PERMIT DURATION.—To encourage investment
7 by the concessionaire, a concessionaire campground permit
8 under the pilot program may have a term not to exceed
9 30 years.

10 **SEC. 304. PREFERENCE FOR MAINTAINING CONCES-**
11 **SIONAIRE-RUN FACILITIES AS CONCES-**
12 **SIONAIRE RUN.**

13 (a) PREFERENCE.—If the contract period expires for
14 a concessionaire-operated recreation facility, the Federal
15 land management agency concerned shall seek to find a
16 qualified concessionaire to continue to operate the facility
17 whenever practicable and the public is well served by con-
18 cessionaire operation.

19 (b) OTHER OPERATING OPTIONS.—If the Federal
20 land management agency concerned determines that a
21 well-performing concessionaire is not available to operate
22 a concessionaire-operated recreation facility upon the expi-
23 ration of the concession contract, the head of the agency
24 may then consider other options for continued operation

1 of the facility, such inclusion under the Federal Lands
2 Recreation Enhancement Act (16 U.S.C. 6801 et seq.).

3 (c) FEDERAL LAND MANAGEMENT AGENCY DE-
4 FINED.—In this section, the term “Federal land manage-
5 ment agency” means the National Park Service, the
6 United States Fish and Wildlife Service, the Bureau of
7 Land Management, the Bureau of Reclamation, or the
8 Forest Service.

9 **SEC. 305. CONSIDERATION OF NEW CONCESSION OPPORTU-**
10 **NITIES.**

11 (a) CONSIDERATION OF CONCESSIONAIRE OPER-
12 ATION.—Subject to subsection (b), in the case of any new
13 visitor facility proposed for a Federal land management
14 agency, the Secretary of the Interior or the Secretary of
15 Agriculture shall consider and evaluate concessionaire
16 management as an option in making the decision to best
17 serve visitors.

18 (b) PUBLIC PARTICIPATION.—Before a new site or
19 area, including a campground, is offered as a new conces-
20 sion opportunity by a Federal land management agency,
21 the Secretary of the Interior or the Secretary of Agri-
22 culture shall provide an opportunity for public involvement
23 in the decision—

24 (1) by publishing a notice in the Federal Reg-
25 ister of the proposed concession opportunity; and

1 (2) by soliciting comments for a period of at
2 least 60 days.

3 (c) **FEDERAL LAND MANAGEMENT AGENCY DE-**
4 **FINED.**—In this section, the term “Federal land manage-
5 ment agency” means the National Park Service, the
6 United States Fish and Wildlife Service, the Bureau of
7 Land Management, the Bureau of Reclamation, or the
8 Forest Service.

9 **SEC. 306. EXPANSION OF CONCESSIONAIRE OPERATING**
10 **SEASON.**

11 (a) **AUTHORITY TO EXPAND OPERATING SEASON.**—
12 Subject to subsection (b), a concessionaire operating a fa-
13 cility or providing services under a recreation concession
14 and recreation lease agreement issued by a Federal land
15 management agency is authorized, at the discretion of the
16 concessionaire, to expand the operating season beyond the
17 season prescribed in the agreement.

18 (b) **EFFECT ON AGENCY COSTS.**—If the decision of
19 a concessionaire under this section to expand an operating
20 season would result in the Federal land management
21 agency incurring costs that the agency would not other-
22 wise incur and cannot be covered within the budget of the
23 agency, the head of the agency and the concessionaire may
24 enter into a supplemental agreement to fund agency per-

1 sonnel and activities needed to permit visitor use of the
2 expanded operating season.

3 (c) FEDERAL LAND MANAGEMENT AGENCY DE-
4 FINED.—In this section, the term “Federal land manage-
5 ment agency” means the National Park Service, the
6 United States Fish and Wildlife Service, the Bureau of
7 Land Management, the Bureau of Reclamation, or the
8 Forest Service.

9 **SEC. 307. PILOT PROGRAM FOR CONVERSION OF FEDER-**
10 **ALLY OWNED IMPROVEMENTS AT FOREST**
11 **SERVICE RECREATION SITES TO PRIVATE**
12 **OWNERSHIP AND OPERATION.**

13 (a) PILOT PROGRAM AUTHORIZED.—Notwith-
14 standing chapter 5 of title 40, United States Code, or its
15 implementing regulations in chapter 102 of title 41, Code
16 of Federal Regulations, the Secretary of Agriculture, act-
17 ing through the Chief of the Forest Service, may conduct
18 a pilot program to convert, using the authority of the Act
19 of March 4, 1915 (16 U.S.C. 497), federally owned im-
20 provements at up to 20 developed recreation sites in the
21 National Forest System to private ownership and oper-
22 ation.

23 (b) COMPETITIVE SELECTION OF RECIPIENTS.—The
24 Secretary shall use a competitive process to select recipi-

1 ents of federally owned improvements made available
2 under the pilot program.

3 (c) CONSIDERATION.—As consideration for the con-
4 version of federally owned improvements under the pilot
5 program, the Secretary shall insure that the United States
6 receives not less than the appraised fair market value of
7 the improvements.

8 (d) USE OF PROCEEDS.—Consideration received
9 under subsection (c) shall be available to the Secretary,
10 without further appropriation and until expended, for the
11 purpose of—

12 (1) covering the costs incurred by the Secretary
13 to conduct the pilot programs; and

14 (2) improving and modernizing federally owned
15 improvements retained by the Forest Service at
16 other developed recreation sites in the National For-
17 est System.

18 (e) OTHER TERMS AND CONDITIONS.—The conver-
19 sion of federally owned improvements under the pilot pro-
20 gram shall be subject to such other terms and conditions
21 as the Secretary considers appropriate to protect the inter-
22 ests of the United States.