Sections 313 and 765 of division A, Section 108 of division C and division J of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2004

[Public Law 108–447, Enacted December 8, 2004]

[As Amended Through P.L. 119–37, Enacted November 12, 2025]

[Currency: This publication is a compilation of the text of Public Law 108–447. It was last amended by the public law listed in the As Amended Through note above and below at the bottom of each page of the pdf version and reflects current law through the date of the enactment of the public law listed at https://www.govinfo.gov/app/collection/comps/]

[Note: While this publication does not represent an official version of any Federal statute, substantial efforts have been made to ensure the accuracy of its contents. The official version of Federal law is found in the United States Statutes at Large and in the United States Code. The legal effect to be given to the Statutes at Large and the United States Code is established by statute (1 U.S.C. 112, 204).]

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DIVISION A—TRANSPORTATION, TREASURY, HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2006

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TITLE III—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT APPROPRIATIONS ACT, 2006

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SEC. 313. [12 U.S.C. 1701q–3] Notwithstanding any other provision of law, for this fiscal year and every fiscal year thereafter, funds appropriated for housing for the elderly, as authorized by section 202 of the Housing Act of 1959, as amended, and for supportive housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act, shall be available for the cost of maintaining and disposing of such properties that are acquired or otherwise become the responsibility of the Department.

TITLE VII—GENERAL PROVISIONS

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SEC. 765. [42 U.S.C. 1472 note] Notwithstanding any other provision of law, for any fiscal year and hereafter, in the case of a high cost isolated rural area in Alaska that is not connected to a road system, the maximum level for the single family housing assistance shall be 150 percent of the average income level in the

metropolitan areas of the State and 115 percent of all other eligible areas of the State.

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DIVISION C—ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2005

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TITLE I—DEPARTMENT OF DEFENSE — CIVIL DEPARTMENT OF THE ARMY

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SEC. 108. LAKE TAHOE BASIN RESTORATION, NEVADA AND CALIFORNIA.

(a) DEFINITION.—In this section, the term "Lake Tahoe Basin" means the entire watershed drainage of Lake Tahoe including that portion of the Truckee River 1,000 feet downstream from the United States Bureau of Reclamation dam in Tahoe City California.

(b) ESTABLISHMENT OF PROGRAM.—The Secretary may establish a program for providing environmental assistance to non-Federal interests in Lake Tahoe Basin.

(c) FORM OF ASSISTANCE.—Assistance under this section may be in the form of planning, design, and construction assistance for water-related environmental infrastructure and resource protection and development projects in Lake Tahoe Basin—

(1) urban stormwater conveyance, treatment and related facilities;

(2) watershed planning, science and research;

(3) environmental restoration; and

(4) surface water resource protection and development.

(d) PUBLIC OWNERSHIP REQUIREMENT.—The Secretary may provide assistance for a project under this section only if the project is publicly owned.

(e) LOCAL COOPERATION AGREEMENT.—

(1) IN GENERAL.—Before providing assistance under this section, the Secretary shall enter into a local cooperation agreement with a non-Federal interest to provide for design and construction of the project to be carried out with the assistance.

(2) REQUIREMENTS.—Each local cooperation agreement entered into under this subsection shall provide for the following:

(A) PLAN.—Development by the Secretary, in consultation with appropriate Federal and State and Regional officials, of appropriate environmental documentation, engineering plans and specifications.

(B) LEGAL AND INSTITUTIONAL STRUCTURES.—Establishment of such legal and institutional structures as are necessary to ensure the effective long-term operation of the project by the non-Federal interest.

(3) COST SHARING.—

(A) IN GENERAL.—The Federal share of project costs under each local cooperation agreement entered into under

this subsection shall be 75 percent. The Federal share may be in the form of grants or reimbursements of project costs.

(B) CREDIT FOR DESIGN WORK.—The non-Federal interest shall receive credit for the reasonable costs of planning and design work completed by the non-Federal interest before entering into a local cooperation agreement with the Secretary for a project.

(C) LAND, EASEMENTS, RIGHTS-OF-WAY, AND RELOCATIONS.—The non-Federal interest shall receive credit forland, easements, rights-of-way, and relocations provided by the non-Federal interest toward the non-Federal share of project costs (including all reasonable costs associated with obtaining permits necessary for the construction, operation, and maintenance of the project on publicly owned or controlled land), but not to exceed 25 percent of total project costs.

(D) OPERATION AND MAINTENANCE.—The non-Federal share of operation and maintenance costs for projects constructed with assistance provided under this section shall be 100 percent.

(f) APPLICABILITY OF OTHER FEDERAL AND STATE LAWS.—Nothing in this section waives, limits, or otherwise affects the applicability of any provision of Federal or State law that would otherwise apply to a project to be carried out with assistance provided under this section.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section for the period beginning with fiscal year 2005, $50,000,000, to remain available until expended.

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DIVISION G—LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2005

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SEC. 10. [2 U.S.C. 6628] TREATMENT OF ELECTRONIC SERVICES PROVIDED BY SERGEANT AT ARMS.

(a) IN GENERAL.—In this section—

(1) the term "agent of the Office of the SAA" includes a provider of electronic communication service or remote computing service commissioned or used through the Office of the SAA by a Senate office to provide such services to the Senate office;

(2) the term "covered data" means any electronic mail or other electronic or data communication, other data (including metadata), or other information;

(3) the term "electronic communication service" has the meaning given that term in section 2510 of title 18, United States Code;

(4) the term "legal process" does not include a subpoena issued in accordance with the Rules of Procedure of the Select Committee on Ethics of the Senate;

(5) the term "Office of the SAA" means the Office of the Sergeant at Arms and Doorkeeper of the Senate;

(6) the term "provider for a Senate office" means a provider of electronic communication service or remote computing service directly commissioned or used by a Senate office to provide such services;

(7) the term "remote computing service" has the meaning given that term in section 2711 of title 18, United States Code;

(8) the term "Senate data", with respect to a Senate office—

(A) means covered data of the Senate office; and

(B) with respect to an individual described in paragraph (9) acting in a personal capacity, only means covered data that is transmitted, processed, or stored through the use of an electronic system established, maintained, or operated, or the use of electronic services provided, by—

(i) a provider for the Senate office, if the Senate office or the Office of the SAA has notified the provider for a Senate office that the applicable device or account is a device or account of the Senate office; or

(ii) the Office of the SAA or an officer, employee, or agent of the Office of the SAA, if the Senate office has notified the Office of the SAA that the applicable device or account is a device or account of the Senate office;

(9) the term "Senate office" means a committee or office of the Senate, including a Senator (without regard to whether the Senator is acting in his or her official capacity, including acting in a personal capacity and acting through his or her campaign for elected office), an officer of the Senate (whether acting in his or her personal or official capacity), or an employee of, intern at, or other agent of a committee or office of the Senate(whether acting in his or her personal or official capacity); and

(10) the term "target of a criminal investigation" means a person—

(A) as to whom the prosecutor or the grand jury has substantial evidence linking that person to the commission of a crime;

(B) who, in the judgment of the prosecutor, is a putative defendant; and

(C) whom the prosecutor, before the date of the acquisition, subpoena, search, accessing, or disclosure of the Senate data at issue, has formally designated as a target in official records, which shall not include any such designation that was made after such date that purports to be retroactive.

(b) TREATMENT.—

(1) RETAINING POSSESSION.—

(A) IN GENERAL.—A Senate office shall be deemed to retain possession of any Senate data of the Senate office, without regard to the use by the Senate office of any individual or entity described in paragraph (2) for the purposes of any function or service described in paragraph (2).

(B) RULE OF CONSTRUCTION.—Subparagraph (A) shall not be construed to limit the use by an intended recipient of any Senate data from a Senate office.

(2) SERGEANT AT ARMS AND PROVIDERS FOR A SENATE OFFICE.—The Office of the SAA, any officer, employee, or agent of the Office of the SAA, and any provider for a Senate office shall not be treated as acquiring possession, custody, or control of any Senate data by reason of its being transmitted, processed, or stored (whether temporarily or otherwise) through the use of an electronic system established, maintained, or operated, or the use of electronic services provided, in whole or in part by the Office of the SAA, the officer, employee, or agent of the Office of the SAA, or the provider for the Senate office.

(c) NOTIFICATION.—

(1) BY PROVIDERS.—

(A) IN GENERAL.—If any provider for a Senate office receives any legal process seeking disclosure of Senate data of the Senate office that is transmitted, processed, or stored (whether temporarily or otherwise) through the use of an electronic system established, maintained, or operated, or the use of electronic services provided, in whole or in part, by the provider for a Senate office, the provider for a Senate office shall notify the Senate office and, unless specified otherwise by the Senate office, the Office of the SAA in writing.

(B) NO LIMITATIONS ON NOTICE.—A provider for a Senate office shall not be barred from providing notice to a Senate office and the Office of the SAA under subparagraph (A) by operation of any court order, any statutory provision, any other provision of law, any rule of civil or criminal procedure, or any other rule, regulation, or policy.

(C) LIMITATION ON LIABILITY.—A provider for a Senate office shall not be liable under any criminal or civil law for providing notice to a Senate office or the Office of the SAA under this paragraph.

(2) BY SAA.—

(A) IN GENERAL.—If the Office of the SAA or any officer, employee, or agent of the Office of the SAA receives any legal process seeking disclosure of Senate data of a Senate office that is transmitted, processed, or stored (whether temporarily or otherwise) through the use of an electronic system established, maintained, or operated, or the use of electronic services provided, in whole or in part, by the Office of the SAA or the officer, employee, or agent of the Office of the SAA, the Office of the SAA or the officer, employee, or agent of the Office of the SAA shall notify a Senate office in writing.

(B) NO LIMITATIONS ON NOTICE.—The Office of the SAA and any officer, employee, or agent of the Office of the SAA shall not be barred from providing notice to a Senate office under subparagraph (A) by operation of any court order, any statutory provision, any other provision of law, any rule of civil or criminal procedure, or any other rule, regulation, or policy.

(C) LIMITATION ON LIABILITY.—The Office of the SAA and any officer, employee, or agent of the Office of the SAA shall not be liable under any criminal or civil law for providing notice to a Senate office under this paragraph.

(3) SPECIAL RULE FOR TARGET AND NON-TARGET INVESTIGATIONS.—

(A) TARGET INVESTIGATIONS.—

(i) IN GENERAL.—If a Senator is a target of a criminal investigation, a court may, upon application by the United States, issue an order delaying the notice required under this subsection with respect to an acquisition, subpoena, search, accessing, or disclosure of Senate data in connection with such investigation for a period of not more than 60 days if the court determines that there is reason to believe that providing notice would—

(I) endanger the life or physical safety of any person;

(II) result in flight from prosecution;

(III) result in destruction of or tampering with evidence;

(IV) result in intimidation of potential witnesses; or

(V) otherwise seriously jeopardize an investigation or unduly delay a trial.

(ii) RENEWAL.—The court may renew such an order for additional periods of not more than 60 days each, if the court makes a renewed determination under clause (i).

(B) ALL OTHER INVESTIGATIONS.—For any investigation in which a Senator is not a target of a criminal investigation, the notice requirements under this subsection shall apply without delay.

(d) PRIVATE CAUSE OF ACTION.—

(1) DEFINITIONS.—In this subsection:

(A) INSTANCE.—The term "instance", with respect to a violation of this section, means each discrete act constituting a violation of this section, including each individual—

(i) device, account, record, or communication channel subject to collection in a manner in violation of this section;

(ii) nondisclosure order or judicial sealing order sought, maintained, or obtained; or

(iii) search conducted.

(B) VIOLATION OF THIS SECTION.—The term "violation of this section" means—

(i) the seeking, maintaining, or obtaining of a nondisclosure order or judicial sealing order to prevent notification of a Senator, a Senate office, or the Office of the SAA as required under subsection (c); or

(ii) Senate data was acquired, subpoenaed, searched, accessed, or disclosed pursuant to a search,

seizure, or demand for information without notice being provided as required under subsection (c).

(2) CAUSE OF ACTION.—Any Senator whose Senate data, or the Senate data of whose Senate office, has been acquired, subpoenaed, searched, accessed, or disclosed in violation of this section may bring a civil action against the United States if the violation was committed by an officer, employee, or agent of the United States or of any Federal department or agency.

(3) RELIEF.—

(A) IN GENERAL.—If a Senator prevails on a claim under this subsection, the court shall award—

(i) for each instance of a violation of this section, the greater of statutory damages of $500,000 or the amount of actual damages;

(ii) reasonable attorney's fees and costs of litigation; and

(iii) such injunctive or declaratory relief as may be appropriate.

(B) PRELIMINARY RELIEF.—Upon motion by a Senator, a court may award such preliminary injunctive relief as the court determines appropriate with respect to a claim under this subsection.

(4) LIMITATIONS AND IMMUNITY.—

(A) PERIOD OF LIMITATIONS.—A civil action under this subsection may not be commenced later than 5 years after the applicable Senator first obtains actual notice of the violation of this section.

(B) NO IMMUNITY DEFENSE.—No officer, employee, or agent of the United States or of any Federal department or agency shall be entitled to assert any form of absolute or qualified immunity as a defense to liability under this subsection.

(5) WAIVER OF SOVEREIGN IMMUNITY.—The United States expressly waives sovereign immunity with respect to actions brought under this subsection.

(6) AFFIRMATIVE DEFENSE FOR TARGET INVESTIGATIONS.—It shall be an affirmative defense to an action under this subsection if the United States establishes that each of the following requirements are met:

(A) At the time the Senate data was acquired, subpoenaed, searched, accessed, or disclosed, the Senator bringing the action was a target of a criminal investigation.

(B) A Federal judge issued an order authorizing a delay of notice to the Senator under subsection (c)(3)(A), based on written findings meeting the requirements of such subsection.

(C) The United States complied with the order described in subparagraph (B), including that the delay of notice did not exceed the period authorized by the court.

(D) Any related subpoena of, warrant relating to, or access to Senate data was carried out strictly within the temporal and subject-matter scope authorized by the order, if any, authorizing the subpoena, warrant, or access.

(7) CONSTRUCTION.—Nothing in this subsection shall be construed to—

(A) limit or impair the constitutional protections afforded to Members of Congress, including to protections under article I, section 6, clause 1 of the Constitution of the United States (commonly known as the "Speech or Debate Clause"); or

(B) restrict the authority of the Senate or any Senate office to intervene in or defend against any legal process seeking disclosure of Senate data.

(e) MOTIONS TO QUASH OR MODIFY.—Upon a motion made promptly by a Senate office or provider for a Senate office, a court of competent jurisdiction shall quash or modify any legal process directed to the provider for a Senate office if compliance with the legal process would require the disclosure of Senate data of the Senate office.

(f) INFORMATION REGARDING IMPLICATIONS OF USING PROVIDERS.—The Office of the SAA, in consultation with the Senate Legal Counsel, shall provide information to each Senate office that commissions or uses a provider of electronic communication service or remote computing service to provide such services to the Senate office regarding the potential constitutional implications and the potential impact on privileges that may be asserted by the Senate office.

(g) APPLICABLE PRIVILEGES.—Nothing in this section shall be construed to limit or supersede any applicable privilege, immunity, or other objection that may apply to the disclosure of Senate data.

(h) PREEMPTION.—Except as provided in this section, any provision of law or rule of civil or criminal procedure of any State, political subdivision, or agency thereof, which is inconsistent with this section shall be deemed to be preempted and superseded.

(i) EFFECTIVE DATE.—This section shall apply to fiscal year 2005 and each fiscal year thereafter.

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DIVISION J—OTHER MATTERS

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TITLE IX—SATELLITE HOME VIEWER EXTENSION AND REAUTHORIZATION ACT OF 2004 [1]

SECTION 1. [17 U.S.C. 101 note] SHORT TITLES; TABLE OF CONTENTS.

(a) SHORT TITLES.—This title may be cited as the "Satellite Home Viewer Extension and Reauthorization Act of 2004" or the "W. J. (Billy) Tauzin Satellite Television Act of 2004".

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[1] This title was enacted into law as part of Division J of the Consolidated Appropriations Act, 2005 (Public Law 108–447, 118 Stat 3393).

TITLE I—STATUTORY LICENSE FOR SATELLITE CARRIERS

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SEC. 106. [17 U.S.C. 119 note] EFFECT ON CERTAIN PROCEEDINGS.

Nothing in this title shall modify any remedy imposed on a party that is required by the judgment of a court in any action that was brought before May 1, 2004, against that party for a violation of section 119 of title 17, United States Code.

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SEC. 109. STUDY.

No later than June 30, 2008, the Register of Copyrights shall report to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate the Register's findings and recommendations on the operation and revision of the statutory licenses under sections 111, 119, and 122 of title 17, United States Code. The report shall include, but not be limited to, the following:

(1) A comparison of the royalties paid by licensees under such sections, including historical rates of increases in these royalties, a comparison between the royalties under each such section and the prices paid in the marketplace for comparable programming.

(2) An analysis of the differences in the terms and conditions of the licenses under such sections, an analysis of whether these differences are required or justified by historical, technological, or regulatory differences that affect the satellite and cable industries, and an analysis of whether the cable or satellite industry is placed in a competitive disadvantage due to these terms and conditions.

(3) An analysis of whether the licenses under such sections are still justified by the bases upon which they were originally created.

(4) An analysis of the correlation, if any, between the royalties, or lack thereof, under such sections and the fees charged to cable and satellite subscribers, addressing whether cable and satellite companies have passed to subscribers any savings realized as a result of the royalty structure and amounts under such sections.

(5) An analysis of issues that may arise with respect to the application of the licenses under such sections to the secondary transmissions of the primary transmissions of network stations and superstations that originate as digital signals, including issues that relate to the application of the unserved household limitations under section 119 of title 17, United States Code, and to the determination of royalties of cable systems and satellite carriers.

SEC. 110. ADDITIONAL STUDY.

No later than December 31, 2005, the Register of Copyrights shall report to the Committee on the Judiciary of the House of Rep-

resentatives and the Committee on the Judiciary of the Senate the Register's findings and recommendations on the following:

(1) The extent to which the unserved household limitation for network stations contained in section 119 of title 17, United States Code, has operated efficiently and effectively and has forwarded the goal of title 17, United States Code, to protect copyright owners of over-the-air television programming, including what amendments, if any, are necessary to effectively identify the application of the limitation to individual households to receive secondary transmissions of primary digital transmissions of network stations.

(2) The extent to which secondary transmissions of primary transmissions of network stations and superstations under section 119 of title 17, United States Code, harm copyright owners of broadcast programming throughout the United States and the effect, if any, of the statutory license under section 122 of title 17, United States Code, in reducing such harm.

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TITLE II—FEDERAL COMMUNICATIONS COMMISSION OPERATIONS

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SEC. 207. [47 U.S.C. 325 note] RECIPROCAL BARGAINING OBLIGATIONS.

(a)

(b) DEADLINE.—The Federal Communications Commission shall prescribe regulations to implement the amendment made by subsection (a)(5) within 180 days after the date of enactment of this Act.

SEC. 208. STUDY OF IMPACT ON CABLE TELEVISION SERVICE.

(a) STUDY REQUIRED.—No later than 9 months after the date of enactment of the Satellite Home Viewer Extension and Reauthorization Act of 2004, the Federal Communications Commission shall complete an inquiry regarding the impact on competition in the multichannel video programming distribution market of the current retransmission consent, network nonduplication, syndicated exclusivity, and sports blackout rules, including the impact of those rules on the ability of rural cable operators to compete with direct broadcast satellite industry in the provision of digital broadcast television signals to consumers. Such report shall include such recommendations for changes in any statutory provisions relating to such rules as the Commission deems appropriate.

(b) REPORT REQUIRED.—The Federal Communications Commission shall submit a report on the results of the inquiry required by subsection (a) to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate not later than 9 months after the date of the enactment of this Act.

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SEC. 212. [47 U.S.C. 325 note] DIGITAL TRANSITION SAVINGS PROVISION.

Nothing in the dates by which requirements or other provisions are effective under this Act or the amendments made by this Act shall be construed—

(1) to impair the authority of the Federal Communications Commission to take any action with respect to the transition by television broadcasters to the digital television service; or

(2) The term "management entity" means the Oil Heritage Region, Inc., or its successor entity.

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TITLE VI—OIL REGION NATIONAL HERITAGE AREA

SEC. 601. SHORT TITLE; DEFINITIONS.

(a) SHORT TITLE.—This title may be cited as the "Oil Region National Heritage Area Act".

(b) TABLE OF CONTENTS.—The management entity for the Heritage Area shall be the Oil Region Alliance of Business, Industry and Tourism the locally based private, nonprofit management corporation which shall oversee the development of a management plan in accordance with section 605(b).

(1) HERITAGE AREA.—The term "Heritage Area" means the Oil Region National Heritage Area established in section 603(a).

(2) MANAGEMENT ENTITY.—The term "management entity" means the Oil Region Alliance of Business, Industry and Tourism, or its successor entity.

(3) SECRETARY.—The term "Secretary"means the Secretary of the Interior.

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SEC. 603. OIL REGION NATIONAL HERITAGE AREA.

(a) ESTABLISHMENT.—There is hereby established the Oil Region National Heritage Area.

(b) BOUNDARIES.—The boundaries of the Heritage Area shall include all of those lands depicted on a map entitled "Oil Region National Heritage Area", numbered OIRE/20,000 and dated October 2000. The map shall be on file in the appropriate offices of the National Park Service. The Secretary of the Interior shall publish in the Federal Register, as soon as practical after the date of the enactment of this Act, a detailed description and map of the boundaries established under this subsection.

(c) MANAGEMENT ENTITY.—The management entity for the Heritage Area shall be the Oil Region Alliance of Business, Industry and Tourism the locally based private, nonprofit management corporation which shall oversee the development of a management plan in accordance with section 605(b).

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SEC. 608. SUNSET.

The Secretary may not make any grant or provide any assistanceunder this title after September 30, 2024.

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TITLE VIII—FEDERAL LANDS RECREATION ENHANCEMENT ACT

SEC. 801. SHORT TITLE AND TABLE OF CONTENTS.

(a) [16 U.S.C. 6801 note] SHORT TITLE.—This title may be cited as the "Federal Lands Recreation Enhancement Act".

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

SEC. 802. [16 U.S.C. 6801] DEFINITIONS.

In this title:

(1) ENTRANCE FEE.—The term "entrance fee" means the recreation fee authorized to be charged to enter onto lands managed by the National Park Service or the United States Fish and Wildlife Service.

(2) EXPANDED AMENITY RECREATION FEE.—The term "expanded amenity recreation fee" means the recreation fee authorized by section 803(g).

(3) FEDERAL LAND MANAGEMENT AGENCY.—The term "Federal land management agency" means the National Park Service, the United States Fish and Wildlife Service, the Bureau of Land Management, the Bureau of Reclamation, or the Forest Service.

(4) FEDERAL RECREATIONAL LANDS AND WATERS.—The term "Federal recreational lands and waters" means lands or waters managed by a Federal land management agency.

(5) NATIONAL PARKS AND FEDERAL RECREATIONAL LANDS PASS.—The term "National Parks and Federal Recreational Lands Pass" means the interagency national pass authorized by section 805.

(6) PASSHOLDER.—The term "passholder" means the person who is issued a recreation pass.

(7) RECREATION FEE.—The term "recreation fee" means an entrance fee, standard amenity recreation fee, expanded amenity recreation fee, or special recreation permit fee.

(8) RECREATION PASS.—The term "recreation pass" means the National Parks and Federal Recreational Lands Pass or one of the other recreation passes available as authorized by section 805.

(9) RECREATION SERVICE PROVIDER.—The term "recreation service provider" means a person that provides recreational

services to the public under a special recreation permit under clause (iii) or (iv) of paragraph (13)(A).

(10) SECRETARIES.—The term "Secretaries" means the Secretary of the Interior and the Secretary of Agriculture acting jointly.

(11) SECRETARY.—The term "Secretary" means—

(A) the Secretary of the Interior, with respect to a Federal land management agency (other than the Forest Service); and

(B) the Secretary of Agriculture, with respect to the Forest Service.

(12) SPECIAL ACCOUNT.—The term "special account" means the special account established in the Treasury under section 807 for a Federal land management agency.

(13) SPECIAL RECREATION PERMIT.—

(A) IN GENERAL.—The term "special recreation permit" means a permit issued by a Federal land management agency for the use of Federal recreational lands and waters—

(i) for a specialized recreational use not described in clause (ii), (iii), or (iv), such as—

(I) an organizational camp;

(II) a single event that does not require an entry or participation fee that is not strictly a sharing of expenses for the purposes of the event; and

(III) participation by the public in a recreation activity or recreation use of a specific area of Federal recreational lands and waters in which use by the public is allocated;

(ii) for a large-group activity or event of 75 participants or more;

(iii) for—

(I) at the discretion of the Secretary, a single organized group recreation activity or event (including an activity or event in which motorized recreational vehicles are used or in which outfitting and guiding services are used) that—

(aa) is a structured or scheduled event or activity;

(bb) is not competitive and is for fewer than 75 participants;

(cc) may charge an entry or participation fee;

(dd) involves fewer than 200 visitor-use days; and

(ee) is undertaken or provided by the recreation service provider at the same site not more frequently than 3 times a year;

(II) a single competitive event; or

(III) at the discretion of the Secretary, a recurring organized group recreation activity (including an outfitting and guiding activity) that—

(aa) is a structured or scheduled activity;

(bb) is not competitive;

(cc) may charge a participation fee;

(dd) occurs in a group size of fewer than 7 participants;

(ee) involves fewer than 40 visitor-use days; and

(ff) is undertaken or provided by the recreation service provider for a term of not more than 180 days; or

(iv) for—

(I) a recurring outfitting, guiding, or, at the discretion of the Secretary, other recreation service, the authorization for which is for a term of not more than 10 years; or

(II) a recurring outfitting, guiding, or, at the discretion of the Secretary, other recreation service, that occurs under a temporary special recreation permit authorized under section 316 of the EXPLORE Act.

(B) EXCLUSIONS.—The term "special recreation permit" does not include—

(i) a concession contract for the provision of accommodations, facilities, or services;

(ii) a commercial use authorization issued under section 101925 of title 54, United States Code; or

(iii) any other type of permit, including a special use permit administered by the National Park Service.

(14) SPECIAL RECREATION PERMIT FEE.—The term "special recreation permit fee" means the fee authorized by section 803(h)(2).

(15) STANDARD AMENITY RECREATION FEE.—The term "standard amenity recreation fee" means the recreation fee authorized by section 803(f).

(16) STATE.—The term "State" means each of the several States, the District of Columbia, and each territory of the United States.

SEC. 803. [16 U.S.C. 6802] RECREATION FEE AUTHORITY.

(a) AUTHORITY OF SECRETARY.—Beginning in fiscal year 2005 and thereafter, the Secretary may establish, modify, charge, and collect recreation fees at Federal recreational lands and waters as provided for in this section.

(b) BASIS FOR RECREATION FEES.—Recreation fees shall be established in a manner consistent with the following criteria:

(1) The amount of the recreation fee shall be commensurate with the benefits and services provided to the visitor.

(2) The Secretary shall consider the aggregate effect of recreation fees on recreation users and recreation service providers.

(3) The Secretary shall consider comparable fees charged elsewhere and by other public agencies and by nearby private sector operators.

(4) The Secretary shall consider the public policy or management objectives served by the recreation fee.

(5) The Secretary shall obtain input from the appropriate Recreation Resource Advisory Committee, as provided in section 804(d).

(6) The Secretary shall consider such other factors or criteria as determined appropriate by the Secretary.

(c) SPECIAL CONSIDERATIONS.—The Secretary shall establish the minimum number of recreation fees and shall avoid the collection of multiple or layered recreation fees for similar uses, activities, or programs.

(d) LIMITATIONS ON RECREATION FEES.—

(1) PROHIBITION ON FEES FOR CERTAIN ACTIVITIES OR SERVICES.—The Secretary shall not charge any standard amenity recreation fee or expanded amenity recreation fee for Federal recreational lands and waters administered by the Bureau of Land Management, the Forest Service, or the Bureau of Reclamation under this title for any of the following:

(A) Solely for parking, undesignated parking, or picnicking along roads or trailsides.

(B) For general access unless specifically authorized under this section.

(C) For dispersed areas with low or no investment unless specifically authorized under this section.

(D) For persons who are driving through, walking through, boating through, horseback riding through, or hiking through Federal recreational lands and waters without using the facilities and services.

(E) For camping at undeveloped sites that do not provide a minimum number of facilities and services as described in subsection (g)(2)(A).

(F) For use of overlooks or scenic pullouts.

(G) For travel by private, noncommercial vehicle over any national parkway or any road or highway established as a part of the Federal-aid System, as defined in section 101 of title 23, United States Code, which is commonly used by the public as a means of travel between two places either or both of which are outside any unit or area at which recreation fees are charged under this title

(H) For travel by private, noncommercial vehicle, boat, or aircraft over any road or highway, waterway, or airway to any land in which such person has any property right if such land is within any unit or area at which recreation fees are charged under this title

(I) For any person who has a right of access for hunting or fishing privileges under a specific provision of law or treaty.

(J) For any person who is engaged in the conduct of official Federal, State, Tribal, or local government business.

(K) For special attention or extra services necessary to meet the needs of the disabled.

(2) RELATION TO FEES FOR USE OF HIGHWAYS OR ROADS.—An entity that pays a special recreation permit fee or similar permit fee shall not be subject to a road cost-sharing fee or a fee for the use of highways or roads that are open to private,

noncommercial use within the boundaries of any Federal recreational lands or waters, as authorized under section 6 of Public Law 88–657 (16 U.S.C. 537; commonly known as the Forest Roads and Trails Act).

(3) PROHIBITION ON FEES FOR CERTAIN PERSONS OR PLACES.—The Secretary shall not charge an entrance fee or standard amenity recreation fee for the following:

(A) Any person under 16 years of age.

(B) Outings conducted for noncommercial educational purposes by schools or bona fide academic institutions.

(C) The U.S.S. Arizona Memorial, Independence National Historical Park, any unit of the National Park System within the District of Columbia, or Arlington House-Robert E. Lee National Memorial.

(D) The Flight 93 National Memorial.

(E) Entrance on other routes into the Great Smoky Mountains National Park or any part thereof unless fees are charged for entrance into that park on main highways and thoroughfares.

(F) Entrance on units of the National Park System containing deed restrictions on charging fees.

(G) An area or unit covered under section 203 of the Alaska National Interest Lands Conservation Act (Public Law 96–487; 16 U.S.C. 410hh–2), with the exception of Denali National Park and Preserve.

(H) A unit of the National Wildlife Refuge System created, expanded, or modified by the Alaska National Interest Lands Conservation Act (Public Law 96–487).

(I) Any person who visits a unit or area under the jurisdiction of the United States Fish and Wildlife Service and who has been issued a valid migratory bird hunting and conservation stamp issued under section 2 of the Act of March 16, 1934 (16 U.S.C. 718b; commonly known as the Duck Stamp Act).

(J) Any person engaged in a nonrecreational activity authorized under a valid permit issued under any other Act, including a valid grazing permit.

(4) NO RESTRICTION ON RECREATION OPPORTUNITIES.—Nothing in this title shall limit the use of recreation opportunities only to areas designated for collection of recreation fees.

(e) ENTRANCE FEE.—

(1) AUTHORIZED SITES FOR ENTRANCE FEES.—The Secretary of the Interior may charge an entrance fee for a unit of the National Park System, including a national monument administered by the National Park Service, or for a unit of the National Wildlife Refuge System.

(2) PROHIBITED SITES.—The Secretary shall not charge an entrance fee for Federal recreational lands and waters managed by the Bureau of Land Management, the Bureau of Reclamation, or the Forest Service.

(f) STANDARD AMENITY RECREATION FEE.—Except as limited by subsection (d), the Secretary may charge a standard amenity recreation fee for Federal recreational lands and waters under the juris-

diction of the Bureau of Land Management, the Bureau of Reclamation, or the Forest Service, but only at the following:

(1) A National Conservation Area.

(2) A National Volcanic Monument.

(3) A destination visitor or interpretive center that provides a broad range of interpretive services, programs, and media.

(4) An area—

(A) that provides significant opportunities for outdoor recreation;

(B) that has substantial Federal investments;

(C) where fees can be efficiently collected; and

(D) that contains all of the following amenities:

(i) Designated developed parking.

(ii) A permanent toilet facility.

(iii) A permanent trash receptacle.

(iv) Interpretive sign, exhibit, or kiosk.

(v) Picnic tables.

(vi) Security services.

(g) EXPANDED AMENITY RECREATION FEE.—

(1) NPS AND USFWS AUTHORITY.—Except as limited by subsection (d), the Secretary of the Interior may charge an expanded amenity recreation fee, either in addition to an entrance fee or by itself, at Federal recreational lands and waters under the jurisdiction of the National Park Service or the United States Fish and Wildlife Service when the Secretary of the Interior determines that the visitor uses a specific or specialized facility, equipment, or service.

(2) OTHER FEDERAL LAND MANAGEMENT AGENCIES.—Except as limited by subsection (d), the Secretary may charge an expanded amenity recreation fee, either in addition to a standard amenity fee or by itself, at Federal recreational lands and waters under the jurisdiction of the Forest Service, the Bureau of Land Management, or the Bureau of Reclamation, but only for the following facilities or services:

(A) Use of developed campgrounds that provide at least a majority of the following:

(i) Tent or trailer spaces.

(ii) Picnic tables.

(iii) Drinking water.

(iv) Access roads.

(v) The collection of the fee by an employee or agent of the Federal land management agency.

(vi) Reasonable visitor protection.

(vii) Refuse containers.

(viii) Toilet facilities.

(ix) Simple devices for containing a campfire.

(B) Use of highly developed boat launches with specialized facilities or services such as mechanical or hydraulic boat lifts or facilities, multi-lane paved ramps, paved parking, restrooms and other improvements such as boarding floats, loading ramps, or fish cleaning stations.

(C) Rental of cabins, boats, stock animals, lookouts, historic structures, group day-use or overnight sites, audio

tour devices, portable sanitation devices, binoculars or other equipment.

(D) Use of hookups for electricity, cable, or sewer.

(E) Use of sanitary dump stations.

(F) Participation in an enhanced interpretive program or special tour.

(G) Use of reservation services.

(H) Use of transportation services.

(I) Use of areas where emergency medical or first-aid services are administered from facilities staffed by public employees or employees under a contract or reciprocal agreement with the Federal Government.

(J) Use of developed swimming sites that provide at least a majority of the following:

(i) Bathhouse with showers and flush toilets.

(ii) Refuse containers.

(iii) Picnic areas.

(iv) Paved parking.

(v) Attendants, including lifeguards.

(vi) Floats encompassing the swimming area.

(vii) Swimming deck.

(h) SPECIAL RECREATION PERMITS AND FEES.—

(1) SPECIAL RECREATION PERMITS.—

(A) APPLICATIONS.—The Secretary—

(i) may develop and make available to the public an application to obtain a special recreation permit described in clause (i) of section 802(13)(A); and

(ii) shall develop and make available to the public an application to obtain a special recreation permit described in each of clauses (ii) through (iv) of section 802(13)(A).

(B) ISSUANCE OF PERMITS.—On review of a completed application developed under subparagraph (A), as applicable, and a determination by the Secretary that the applicant is eligible for the special recreation permit, the Secretary may issue to the applicant a special recreation permit, subject to any terms and conditions that are determined to be necessary by the Secretary.

(C) INCIDENTAL SALES.—A special recreation permit issued under this paragraph may include an authorization for sales that are incidental in nature to the permitted use of the Federal recreational lands and waters, except where otherwise prohibited by law.

(2) SPECIAL RECREATION PERMIT FEES.—

(A) IN GENERAL.—The Secretary may charge a special recreation permit fee for the issuance of a special recreation permit in accordance with this paragraph.

(B) PREDETERMINED SPECIAL RECREATION PERMIT FEES.—

(i) IN GENERAL.—For purposes of subparagraphs (D) and (E) of this paragraph, the Secretary shall establish and may charge a predetermined fee, described in clause (ii) of this subparagraph, for a special recreation permit described in clause (iii) or (iv) of section

802(13)(A) for a specific type of use on a unit of Federal recreational lands and waters, consistent with the criteria set forth in clause (iii) of this subparagraph.

(ii) TYPE OF FEE.—A predetermined fee described in clause (i) shall be—

(I) a fixed fee that is assessed per special recreation permit, including a fee with an associated size limitation or other criteria as determined to be appropriate by the Secretary; or

(II) an amount assessed per visitor-use day.

(iii) CRITERIA.—A predetermined fee under clause (i) shall—

(I) have been established before the date of the enactment of the EXPLORE Act;

(II) be established after the date of the enactment of the EXPLORE Act, in accordance with subsection (b);

(III)(aa) be established after the date of the enactment of the EXPLORE Act; and

(bb) be comparable to an amount described in subparagraph (D)(ii) or (E)(ii), as applicable; or

(IV) beginning on the date that is 2 years after the date of the enactment of the EXPLORE Act, be $6 per visitor-use day in instances in which the Secretary has not established a predetermined fee under subclause (I), (II), or (III).

(C) CALCULATION OF FEES FOR SPECIALIZED RECREATIONAL USES AND LARGE-GROUP ACTIVITIES OR EVENTS.—The Secretary may, at the discretion of the Secretary, establish and charge a fee for a special recreation permit described in clause (i) or (ii) of section 802(13)(A).

(D) CALCULATION OF FEES FOR SINGLE ORGANIZED GROUP RECREATION ACTIVITIES OR EVENTS, COMPETITIVE EVENTS, AND CERTAIN RECURRING ORGANIZED GROUP RECREATION ACTIVITIES.—If the Secretary elects to charge a fee for a special recreation permit described in section 802(13)(A)(iii), the Secretary shall charge the recreation service provider, based on the election of the recreation service provider—

(i) the applicable predetermined fee established under subparagraph (B); or

(ii) an amount equal to a percentage of, to be determined by the Secretary, but to not to exceed 5 percent of, adjusted gross receipts calculated under subparagraph (F).

(E) CALCULATION OF FEES FOR TEMPORARY PERMITS AND LONG-TERM PERMITS.—Subject to subparagraph (G), if the Secretary elects to charge a fee for a special recreation permit described in section 802(13)(A)(iv), the Secretary shall charge the recreation service provider, based on the election of the recreation service provider—

(i) the applicable predetermined fee established under subparagraph (B); or

(ii) an amount equal to a percentage of, to be determined by the Secretary, but not to exceed 3 percent of, adjusted gross receipts calculated under subparagraph (F).

(F) ADJUSTED GROSS RECEIPTS.—For the purposes of subparagraphs (D)(ii) and (E)(ii), the Secretary shall calculate the adjusted gross receipts collected for each trip or event authorized under a special recreation permit, using either of the following calculations, based on the election of the recreation service provider:

(i) The sum of—

(I) the product obtained by multiplying—

(aa) the general amount paid by participants of the trip or event to the recreation service provider for the applicable trip or event (excluding amounts related to goods, souvenirs, merchandise, gear, and additional food provided or sold by the recreation service provider); and

(bb) the quotient obtained by dividing—

(AA) the number of days of the trip or event that occurred on Federal recreational lands and waters covered by the special recreation permit, rounded to the nearest whole day; by

(BB) the total number of days of the trip or event; and

(II) the amount of any additional revenue received by the recreation service provider for an add-on activity or an optional excursion that occurred on the Federal recreational lands and waters covered by the special recreation permit.

(ii) The difference between—

(I) the total cost paid by the participants of the trip or event for the trip or event to the recreation service provider, including any additional revenue received by the recreation service provider for an add-on activity or an optional excursion that occurred on the Federal recreational lands and waters covered by the special recreation permit; and

(II) the sum of—

(aa) the amount of any revenues from goods, souvenirs, merchandise, gear, and additional food provided or sold by the recreation service provider to the participants of the applicable trip or event;

(bb) the amount of any costs or revenues from services and activities provided or sold by the recreation service provider to the participants of the trip or event that occurred in a location other than the Federal recreational lands and waters covered by the special recreation permit (including costs for travel and

lodging outside the Federal recreational lands and waters covered by the special recreation permit); and

(cc) the amount of any revenues from any service provided by a recreation service provider for an activity on Federal recreational lands and waters that is not covered by the special recreation permit.

(G) EXCEPTION.—Notwithstanding subparagraph (E), the Secretary may charge a recreation service provider a minimum annual fee for a special recreation permit described in section 802(13)(A)(iv).

(H) SAVINGS CLAUSES.—

(i) EFFECT.—Nothing in this paragraph affects any fee for—

(I) a concession contract administered by the National Park Service or the United States Fish and Wildlife Service for the provision of accommodations, facilities, or services; or

(II) a commercial use authorization or special use permit for use of Federal recreational lands and waters managed by the National Park Service.

(ii) COST RECOVERY.—Nothing in this paragraph affects the ability of the Secretary to recover any administrative costs under section 320 of the EXPLORE Act.

(iii) SPECIAL RECREATION PERMIT FEES AND OTHER RECREATION FEES.—The collection of a special recreation permit fee under this paragraph shall not affect the authority of the Secretary to collect an entrance fee, a standard amenity recreation fee, or an expanded amenity recreation fee authorized under subsections (e), (f), and (g).

(i) DISCLOSURE OF RECREATION FEES AND USE OF RECREATION FEES.—

(1) NOTICE OF ENTRANCE FEES, STANDARD AMENITY RECREATION FEES, EXPANDED AMENITY RECREATION FEES, AND AVAILABLE RECREATION PASSES.—

(A) IN GENERAL.—The Secretary shall post clear notice of any entrance fee, standard amenity recreation fee, expanded amenity recreation fee, and available recreation passes—

(i) at appropriate locations in each unit or area of Federal recreational land and waters at which an entrance fee, standard amenity recreation fee, or expanded amenity recreation fee is charged; and

(ii) on the appropriate website for such unit or area.

(B) PUBLICATIONS.—The Secretary shall include in publications distributed at a unit or area or described in subparagraph (A) the notice described in that subparagraph.

(2) NOTICE OF USES OF RECREATION FEES.—Beginning on January 1, 2026, the Secretary shall annually post, at the location at which a recreation fee described in paragraph (1)(A) is collected, clear notice of—

(A) the total recreation fees collected during each of the 2 preceding fiscal years at the respective unit or area of the Federal land management agency; and

(B) each use during the preceding fiscal year of the applicable recreation fee or recreation pass revenues collected under this section.

(3) NOTICE OF RECREATION FEE PROJECTS.—To the extent practicable, the Secretary shall post clear notice at the location at which work is performed using recreation fee and recreation pass revenues collected under this section.

(4) CENTRALIZED REPORTING ON AGENCY WEBSITES.—

(A) IN GENERAL.—Not later than January 1, 2025, and not later than 60 days after the beginning of each fiscal year thereafter, the Secretary shall post on the website of the applicable Federal land management agency a searchable list of each use during the preceding fiscal year of the recreation fee or recreation pass revenues collected under this section.

(B) LIST COMPONENTS.—The list required under subparagraph (A) shall include, with respect to each use described in that subparagraph—

(i) a title and description of the overall project;

(ii) a title and description for each component of the project;

(iii) the location of the project; and

(iv) the amount obligated for the project.

(5) NOTICE TO CUSTOMERS.—A recreation service provider may inform a customer of the recreation service provider of any fee charged by the Secretary under this section.

(j) ONLINE PAYMENTS.—

(1) IN GENERAL.—In addition to providing onsite payment methods, the Secretaries may collect payment online for—

(A) entrance fees under subsection (e);

(B) standard amenity recreation fees under subsection (f);

(C) expanded amenity recreation fees under subsection (g); and

(D) special recreation permit fees.

(2) DISTRIBUTION OF ONLINE PAYMENTS.—An online payment collected under paragraph (1) that is associated with a specific unit or area of a Federal land management agency shall be distributed in accordance with section 805(c).

SEC. 804. [16 U.S.C. 6803] PUBLIC PARTICIPATION.

(a) IN GENERAL.—As required in this section, the Secretary shall provide the public with opportunities to participate in the development of or changing of a recreation fee established under this Act[this title.]

(b) ADVANCE NOTICE.—The Secretary shall publish a notice in the Federal Register of the establishment of a new recreation fee

area for each agency 6 months before establishment. The Secretary shall publish notice of a new recreation fee or a change to an existing recreation fee established under this Act [this title] in local newspapers and publications located near the site at which the recreation fee would be established or changed.

(c) PUBLIC INVOLVEMENT.—Before establishing any new recreation fee area, the Secretary shall provide opportunity for public involvement by—

(1) establishing guidelines for public involvement;

(2) establishing guidelines on how agencies will demonstrate on an annual basis how they have provided information to the public on the use of recreation fee revenues; and

(3) publishing the guidelines in paragraphs (1) and (2) in the Federal Register.

(d) RECREATION RESOURCE ADVISORY COMMITTEE.—

(1) ESTABLISHMENT.—

(A) AUTHORITY TO ESTABLISH.—Except as provided in subparagraphs (C) and (D), the Secretary or the Secretaries shall establish a Recreation Resource Advisory Committee in each State or region for Federal recreational lands and waters managed by the Forest Service or the Bureau of Land Management to perform the duties described in paragraph (2).

(B) NUMBER OF COMMITTEES.—The Secretary may have as many additional Recreation Resource Advisory Committees in a State or region as the Secretary considers necessary for the effective operation of this Act[this title.]

(C) EXCEPTION.—The Secretary shall not establish a Recreation Resource Advisory Committee in a State if the Secretary determines, in consultation with the Governor of the State, that sufficient interest does not exist to ensure that participation on the Committee is balanced in terms of the points of view represented and the functions to be performed.

(D) USE OF OTHER ENTITIES.—In lieu of establishing a Recreation Resource Advisory Committee under subparagraph (A), the Secretary may use a Resource Advisory Committee established pursuant to another provision of law and in accordance with that law or a recreation fee advisory board otherwise established by the Secretary to perform the duties specified in paragraph (2).

(2) DUTIES.—In accordance with the procedures required by paragraph (9), a Recreation Resource Advisory Committee may make recommendations to the Secretary regarding a standard amenity recreation fee or an expanded amenity recreation fee, whenever the recommendations relate to public concerns in the State or region covered by the Committee regarding—

(A) the implementation of a standard amenity recreation fee or an expanded amenity recreation fee or the establishment of a specific recreation fee site;

(B) the elimination of a standard amenity recreation fee or an expanded amenity recreation fee; or

(C) the expansion or limitation of the recreation fee program.

(3) MEETINGS.—A Recreation Resource Advisory Committee shall meet at least annually, but may, at the discretion of the Secretary, meet as often as needed to deal with citizen concerns about the recreation fee program in a timely manner.

(4) NOTICE OF REJECTION.—If the Secretary rejects the recommendation of a Recreation Resource Advisory Committee, the Secretary shall issue a notice that identifies the reasons for rejecting the recommendation to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate not later than 30 days before the Secretary implements a decision pertaining to that recommendation.

(5) COMPOSITION OF THE ADVISORY COMMITTEE.—

(A) NUMBER.—A Recreation Resource Advisory Committee shall be comprised of 12 members.

(B) NOMINATIONS.—The Governor and the designated county official from each county in the relevant State or Region may submit a list of nominations in the categories described under subparagraph (D).

(C) APPOINTMENT.—The Secretary may appoint members of the Recreation Resource Advisory Committee from the list as provided in subparagraph (B).

(D) BROAD AND BALANCED REPRESENTATION.—In appointing the members of a Recreation Resource Advisory Committee, the Secretary shall provide for a balanced and broad representation from the recreation community that shall include the following:

(i) Five persons who represent recreation users and that include, as appropriate, persons representing the following:

(I) Winter motorized recreation, such as snowmobiling.

(II) Winter non-motorized recreation, such as snowshoeing, cross country and down hill skiing, and snowboarding.

(III) Summer motorized recreation, such as motorcycles, boaters, and off-highway vehicles.

(IV) Summer nonmotorized recreation, such as backpacking, horseback riding, mountain biking, canoeing, and rafting.

(V) Hunting and fishing.

(ii) Four 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.

(IV) Veterans organizations, as such term is defined in section 201 of the EXPLORE Act.

(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 reappoint 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.—Six 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) CHAPTER 10 OF TITLE 5, UNITED STATES CODE.—A Recreation Resource Advisory Committee is subject to the provisions of chapter 10 of title 5, United States Code.

SEC. 805. [16 U.S.C. 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 discount and lifetime 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 Secretaries shall sell or otherwise make available the National Parks and Federal Recreational Lands Pass—

(i) at all Federal recreational lands and waters at which—

(I) an entrance fee or a standard amenity recreation fee is charged; and

(II) such sales or distribution of the Pass is feasible;

(ii) at such other locations as the Secretaries consider appropriate and feasible; and

(iii) through a prominent link to a centralized pass sale system on the website of each of the Federal land management agencies and the websites of the relevant units and subunits of those agencies, which shall include information about where and when a National Parks and Federal Recreational Lands Pass may be used.

(B) USE OF VENDORS.—The Secretary may enter into fee management agreements as provided in section [80]6.

(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 nongovernmental 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.

(10) DIGITAL RECREATION PASSES.—Not later than January 1, 2026, the Secretaries shall—

(A) establish a digital version of the National Parks and Federal Recreational Lands Pass that is able to be stored on a mobile device, including with respect to free and discounted passes; and

(B) upon completion of a transaction for a National Parks and Federal Recreational Lands Pass, make immediately available to the passholder a digital version of the National Parks and Federal Recreational Lands Pass established under subparagraph (A).

(b) FREE AND 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) [2]LIFETIME PASSES.—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 "disability" under section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102), if the citizen or person provides adequate proof of the disability and such citizenship or residency.

(B) Any veteran who provides adequate proof of military service as determined by the Secretary.

(C) Any member of a Gold Star Family who meets the eligibility requirements of section 3.2 of Department of Defense Instruction 1348.36 (or a successor instruction).

(3) ANNUAL PASSES.—The Secretary shall make the National Parks and Federal Recreational Lands Pass available, at no cost, to members of the Armed Forces and their dependents who provide adequate proof of eligibility for such pass as determined by the Secretary.

(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.—

[2] Section 625(b)(2)(B) of Public Law 116-283 provides for an amendment to strike "this subsection" and insert "this paragraph" in the second sentence of paragraph (2) of section 805(b) of the Federal Lands Recreation Enhancement Act. This amendment could not be carried out because stricken phrase does not exist in law.

(1) EXISTING PASSPORTS.—A passport issued under section 4 of the Land and Water Conservation Fund Act of 1965 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 4 of the Land and Water Conservation Fund Act of 1965 that was valid on the day before the date of the enactment of this Act shall be valid and remain in effect until expired, revoked, or suspended.

SEC. 805A. [16 U.S.C. 6804a] AVAILABILITY OF FEDERAL, STATE, AND LOCAL RECREATION PASSES.

(a) ESTABLISHMENT OF PROGRAM.—

(1) IN GENERAL.—To improve the availability of Federal, State, and local outdoor recreation passes, the Secretaries are encouraged to coordinate with States and counties regarding the availability of Federal, State, and local recreation passes to allow a purchaser to buy a Federal recreation pass, State recreation pass, and local recreation pass in a single transaction.

(2) INCLUDED PASSES.—Passes covered by the program established under paragraph (1) include—

(A) an America the Beautiful—the National Parks and Federal Recreational Lands Pass under section 805; and

(B) any pass covering any fees charged by participating States and counties for entrance and recreational use of parks and public land in the participating States.

(b) AGREEMENTS WITH STATES AND COUNTIES.—

(1) IN GENERAL.—The Secretaries, after consultation with the States and counties, may enter into agreements with States and counties to coordinate the availability of passes as described in subsection (a).

(2) REVENUE FROM PASS SALES.—Agreements between the Secretaries, States, and counties entered into pursuant to this section shall ensure that—

(A) funds from the sale of State or local passes are transferred to the appropriate State agency or county government;

(B) funds from the sale of Federal passes are transferred to the appropriate Federal agency; and

(C) fund transfers are completed by the end of a fiscal year for all pass sales occurring during the fiscal year.

SEC. 806. [16 U.S.C. 6805] COOPERATIVE AGREEMENTS.

(a) FEE MANAGEMENT AGREEMENT.—Notwithstanding chapter 63 of title 31, United States Code, 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.

SEC. 807. [16 U.S.C. 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 Act [this title] 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 [80]5(a)(7).

(e) DISTRIBUTION OF REGIONAL MULTIENTITY PASS REVENUES.—Revenues collected from the sale of a regional multientity pass authorized under section [80]5(d) 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.

SEC. 808. [16 U.S.C. 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;

(F) a fee management agreement established under section 806(a) or a visitor reservation service;

(G) the processing of special recreation permit applications and administration of special recreation permits; and

(H) the improvement of the operation of the special recreation permit program under section 803(h).

(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 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 title for administration, overhead, and indirect costs related to the recreation fee program by that Secretary.

(d) TRANSITIONAL EXCEPTION.—Notwithstanding any other provision of this title, 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 805(a)(7); and

(2) a regional multientity pass authorized section 805(d) during the 5-year period beginning on the date the regional multientity pass agreement for that recreation pass takes effect.

SEC. 809. [16 U.S.C. 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.

SEC. 810. [16 U.S.C. 6809] SUNSET PROVISION.

The authority of the Secretary to carry out this Act shall terminate September 30, 2031.

SEC. 811. [16 U.S.C. 6810] VOLUNTEERS.

(a) AUTHORITY TO USE VOLUNTEERS.—The Secretary may use volunteers, as appropriate, to collect recreation fees and sell recreation passes.

(b) WAIVER OR DISCOUNT OF FEES; SITE-SPECIFIC AGENCY PASS.—In exchange for volunteer services, the Secretary may waive or discount an entrance fee, standard amenity recreation fee, or an expanded amenity recreation fee that would otherwise apply to the volunteer or issue to the volunteer a site-specific agency pass authorized under section [80]5(c).

(c) NATIONAL PARKS AND FEDERAL RECREATIONAL LANDS PASS.—In accordance with the guidelines issued under section [80]5(a)(7), the Secretaries may issue a National Parks and Federal Recreational Lands Pass to a volunteer in exchange for significant volunteer services performed by the volunteer.

(d) REGIONAL MULTIENTITY PASSES.—The Secretary may issue a regional multientity pass authorized under section [80]5(d) to a volunteer in exchange for significant volunteer services performed by the volunteer, if the regional multientity pass agreement under which the regional multientity pass was established provides for the issuance of the pass to volunteers.

SEC. 812. [16 U.S.C. 6811] ENFORCEMENT AND PROTECTION OF RECEIPTS.

(a) ENFORCEMENT AUTHORITY.—The Secretary concerned shall enforce payment of the recreation fees authorized by this Act.[this title]

(b) EVIDENCE OF NONPAYMENT.—If the display of proof of payment of a recreation fee, or the payment of a recreation fee within a certain time period is required, failure to display such proof as

required or to pay the recreation fee within the time period specified shall constitute nonpayment.

(c) JOINT LIABILITY.—The registered owner and any occupant of a vehicle charged with a nonpayment violation involving the vehicle shall be jointly liable for penalties imposed under this section, unless the registered owner can show that the vehicle was used without the registered owner's express or implied permission.

(d) LIMITATION ON PENALTIES.—The failure to pay a recreation fee established under this Act [this title] shall be punishable as a Class A or Class B misdemeanor, except that in the case of a first offense of nonpayment, the fine imposed may not exceed $100, notwithstanding section 3571(e) of title 18, United States Code.

SEC. 813. [16 U.S.C. 6812] REPEAL OF SUPERSEDED ADMISSION AND USE FEE AUTHORITIES.

(a) LAND AND WATER CONSERVATION FUND ACT.—Subsections (a), (b), (c), (d), (e), (f), (g), and (i) (except for paragraph (1)(C)) of section 4 of the Land and Water Conservation Fund Act of 1965 are repealed, except that the Secretary may continue to issue Golden Eagle Passports, Golden Age Passports, and Golden Access Passports under such section until the date the notice required by section [80]5(a)(3) is published in the Federal Register regarding the establishment of the National Parks and Federal Recreational Lands Pass.

(b) RECREATIONAL FEE DEMONSTRATION PROGRAM.—Section 315 of the Department of the Interior and Related Agencies Appropriations Act, 1996 (as contained in section 101(c) of Public Law 104–134), is repealed.

(c) ADMISSION PERMITS FOR REFUGE UNITS.—Section 201 of the Emergency Wetlands Resources Act of 1986 (16 U.S.C. 3911) is repealed.

(d) NATIONAL PARK PASSPORT, GOLDEN EAGLE PASSPORT, GOLDEN AGE PASSPORT, AND GOLDEN ACCESS PASSPORT.—Effective on the date the notice required by section [80]5(a)(3) is published in the Federal Register, the following provisions of law authorizing the establishment of a national park passport program or the establishment and sale of a national park passport, Golden Eagle Passport, Golden Age Passport, or Golden Access Passport are repealed:

(1) Section 502 of the National Parks Omnibus Management Act of 1998 (Public Law 105–391; 16 U.S.C. 5982 [3]).

(2) Title VI of the National Parks Omnibus Management Act of 1998 (Public Law 105–391; 16 U.S.C. 5991–5995 [3]).

(e) TREATMENT OF UNOBLIGATED FUNDS.—

(1) LAND AND WATER CONSERVATION FUND SPECIAL ACCOUNTS.—Amounts in the special accounts established under section 4(i)(1) of the Land and Water Conservation Fund Act of 1965 for Federal land management agencies that are unobligated on the date of the enactment of this Act shall be transferred to the appropriate special account established under section [80]7 and shall be available to the Secretary in accord-

[3] Section 5(d)(37)(C) of Public Law 113-287 provides for amendments to section 813(c) of the Federal Lands Recreation Enhancement Act. The amendment probably should have been made to section 813(d) of the Federal Lands Recreation Enhancement Act and is not reflected in this version.

ance with this Act [this title]. A special account established under section 4(i)(1) of the Land and Water Conservation Fund Act of 1965 for a Federal agency that is not a Federal land management area, and the use of such special account, is not affected by the repeal of section 4 of the Land and Water Conservation Fund Act of 1965 by subsection (a) of this section.

(2) NATIONAL PARKS PASSPORT.—Any funds collected under title VI of the National Parks Omnibus Management Act of 1998 (Public Law 105–391) that are unobligated on the day before the publication of the Federal Register notice required under section [80]5(a)(3) shall be transferred to the special account of the National Park Service for use in accordance with this Act [this title]. The Secretary of the Interior may use amounts available in that special account to pay any outstanding administration, marketing, or close-out costs associated with the national parks passport.

(3) RECREATIONAL FEE DEMONSTRATION PROGRAM.—Any funds collected in accordance with section 315 of the Department of the Interior and Related Agencies Appropriations Act, 1996 (as contained in section 101(c) of Public Law 104–134), that are unobligated on the day before the date of the enactment of this Act shall be transferred to the appropriate special account and shall be available to the Secretary in accordance with this Act [this title].

(4) ADMISSION PERMITS FOR REFUGE UNITS.—Any funds collected in accordance with section 201 of the Emergency Wetlands Resources Act of 1986 (16 U.S.C. 3911) that are available as provided in subsection (c)(A) of such section and are unobligated on the day before the date of the enactment of this Act shall be transferred to the special account of the United States Fish and Wildlife Service for use in accordance with this Ac[this title].

(f) EFFECT OF REGULATIONS.—A regulation or policy issued under a provision of law repealed by this section shall remain in effect to the extent such a regulation or policy is consistent with the provisions of this Act [this title] until the Secretary issues a regulation, guideline, or policy under this Act [this title] that supersedes the earlier regulation.

SEC. 814. [16 U.S.C. 6813] RELATION TO OTHER LAWS AND FEE COLLECTION AUTHORITIES.

(a) FEDERAL AND STATE LAWS UNAFFECTED.—Nothing in this Act [this title] shall authorize Federal hunting or fishing licenses or fees or charges for commercial or other activities not related to recreation, affect any rights or authority of the States with respect to fish and wildlife, or repeal or modify any provision of law that permits States or political subdivisions of States to share in the revenues from Federal lands or, except as provided in subsection (b), any provision of law that provides that any fees or charges collected at particular Federal areas be used for or credited to specific purposes or special funds as authorized by that provision of law.

(b) RELATION TO REVENUE ALLOCATION LAWS.—Amounts collected under this Act [this title], and the existence of a fee management agreement with a governmental entity under section

[80]6(a), may not be taken into account for the purposes of any of the following laws:

(1) The sixth paragraph under the heading "FOREST SERVICE" in the Act of May 23, 1908 (16 U.S.C. 500).

(2) Section 13 of the Act of March 1, 1911 (16 U.S.C. 500; commonly known as the Weeks Act).

(3) The fourteenth paragraph under the heading "FOREST SERVICE" in the Act of March 4, 1913 (16 U.S.C. 501).

(4) Section 33 of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1012).

(5) Title II of the Act of August 8, 1937, and the Act of May 24, 1939 (43 U.S.C. 1181f et seq.).

(6) Section 6 of the Act of June 14, 1926 (43 U.S.C. 869–4).

(7) Chapter 69 of title 31, United States Code.

(8) Section 401 of the Act of June 15, 1935 (16 U.S.C. 715s; commonly known as the Refuge Revenue Sharing Act).

(9) The Secure Rural Schools and Community Self-Determination Act of 2000 (Public Law 106–393; 16 U.S.C. 500 note), except that the exception made for such Act by this subsection is unique and is not intended to be construed as precedent for amounts collected from the use of Federal lands under any other provision of law.

(10) Section 2 of the Boulder Canyon Project Adjustment Act (43 U.S.C. 618a).

(11) The Federal Water Project Recreation Act (16 U.S.C. 460l–12 et seq.).

(12) The first section of the Act of June 17, 1902, as amended or supplemented (43 U.S.C. 391).

(13) The Act of February 25, 1920 (30 U.S.C. 181 et seq.; commonly known as the Mineral Leasing Act).

(14) Section 4(e) of the Southern Nevada Public Land Management Act of 1998 (Public Law 105–263; 31 U.S.C. 6901 note).

(15) Section 5(a) of the Lincoln County Land Act of 2000 (Public Law 106–298; 114 Stat. 1047).

(16) Any other provision of law relating to revenue allocation.

(c) CONSIDERATION OF OTHER FUNDS COLLECTED.—Amounts collected under any other law may not be disbursed under this Act[this title].

(d) SOLE RECREATION FEE AUTHORITY.—Recreation fees charged under this Act [this title] shall be in lieu of fees charged for the same purposes under any other provision of law.

(e) FEES CHARGED BY THIRD PARTIES.—Notwithstanding any other provision of this Act [this title], a third party may charge a fee for providing a good or service to a visitor of a unit or area of the Federal land management agencies in accordance with any other applicable law or regulation.

(f) MIGRATORY BIRD HUNTING STAMP ACT.—Revenues from the stamp established under the Act of March 16, 1934 (16 U.S.C. 718 et seq.; commonly known as the Migratory Bird Hunting Stamp Act or Duck Stamp Act), shall not be covered by this Act [this title].

SEC. 815. [16 U.S.C. 6814] LIMITATION ON USE OF FEES FOR EMPLOYEE BONUSES.

Notwithstanding any other provision of law, fees collected under the authorities of the Act [this title] may not be used for employee bonuses.