

MILITARY FAMILIES NATIONAL PARKS ACCESS
ENHANCEMENT ACT

DECEMBER 10, 2024.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. WESTERMAN, from the Committee on Natural Resources,
submitted the following

R E P O R T

[To accompany H.R. 9516]

The Committee on Natural Resources, to whom was referred the bill (H.R. 9516) to amend the Federal Lands Recreation Enhancement Act to provide for lifetime National Parks and Federal Recreational Lands Passes for family members of members of the Armed Forces who lost their lives while serving their country, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Military Families National Parks Access Enhancement Act”.

SEC. 2. LIFETIME PASSES.

Section 805(b)(2) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6804(b)(2)) is amended by adding at the end the following:

“(D) Any individual who is a survivor entitled to—

“(i) a death gratuity under section 1475 of title 10, United States Code; or

“(ii) dependency and indemnity compensation under chapter 13 of title 38, United States Code.”.

PURPOSE OF THE LEGISLATION

The purpose of H.R. 9516 is to amend the Federal Lands Recreation Enhancement Act to provide for lifetime National Parks and Federal Recreational Lands Passes for family members of members of the Armed Forces who lost their lives while serving their country.

BACKGROUND AND NEED FOR LEGISLATION

Across the country, military families play a critical role in protecting our freedoms. They support loved ones who risk their lives defending the values that make our country a beacon of hope around the world. While many military members return home, others make the ultimate sacrifice by laying down their lives for our country. Families that lose loved ones in the military are commonly referred to as “Gold Star Families” and often wear a Gold Star Lapel Button. These families must confront their worst nightmare and attempt to find closure amidst traumatic circumstances. For many such families, recreating outdoors can offer relief in times of profound tragedy. Outdoor activities can provide valuable opportunities for Gold Star Families to reconnect with nature, reflect on their loved ones, and find moments of peace.

In 2021, Congress permanently codified free, lifetime passes to our national parks and public lands for Gold Star Families in the Alexander Lofgren Veterans in Parks (VIP) Act.¹ The VIP Act was intended to recognize and honor the sacrifices of Gold Star Families and ensure their access to healing outdoor recreation destinations. Pass eligibility for Gold Star Families under the VIP Act is determined by section 3.2 of Department of Defense Instruction 1348.36, which sets the criteria for issuing Gold Star Lapel Buttons.² This instruction covers eligible next of kin of service members who lost their lives in a qualifying situation, such as a war, an international terrorist attack, or a military operation outside of the U.S.³ Unfortunately, this instruction excludes families of active-duty military members who lost their lives in other circumstances, such as hazardous combat training accidents inside the U.S. Such families are authorized to wear the Gold Star Next of Kin Lapel Button. The instruction also excludes families of military members who lost their lives as a result of a service-related injury or illness.

H.R. 9516 would expand access to free, lifetime America the Beautiful Passes to Gold Star Next of Kin family members in addition to families of service members who lost their lives due to a service-related illness or injury. During a Subcommittee on Federal Lands hearing on H.R. 9516, the Gold Star Spouses of America, Inc. testified in support of the legislation.⁴ During the hearing, this organization recommended expanding the legislation to families of veterans who pass away “from a disease or injury they incurred during their service.”⁵ The VIP Act allows veterans and their families to enter national parks free of charge, but that benefit ends for family members when a veteran passes away. During a Full Committee markup, an amendment in the nature of a substitute was offered by Chairman Bruce Westerman (R-AR) that would expand eligibility of free, lifetime passes to family members of veterans who pass away due to a service-related illness, ensuring continuity for family members whose loved ones lost their lives in service to

¹ Alexander Lofgren Veterans in Parks (VIP) Act; P.L. 117–81.

² DOD Instruction 1348.36, <https://www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodi/134836p.pdf?ver=mN9Jeg1LSLWwc52VRIjhdQ%3D%3D>.

³ *Id.*

⁴ Testimony of Gabriella Kubinyi, available here: https://naturalresources.house.gov/uploadedfiles/testimony_kubinyi191824.pdf.

⁵ *Id.*

our country. This legislation is a meaningful way to support families who lost loved ones selflessly serving our nation. Expanding eligibility to such families will also ensure their permanent access to the nation’s iconic national parks and public lands that their loved ones died protecting.

COMMITTEE ACTION

H.R. 9516 was introduced on September 10, 2024, by Rep. Lori Chavez-DeRemer (R–OR). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on Federal Lands. The bill was also referred to the Committee on Agriculture. On September 18, 2024, the Subcommittee on Federal Lands held a hearing on the bill. On November 20, 2024, the Committee on Natural Resources met to consider the bill. The Subcommittee on Federal Lands was discharged from further consideration of H.R. 9516 by unanimous consent. Chairman Bruce Westerman (R–AR) offered an Amendment in the Nature of a Substitute designated Westerman ANS_103. The amendment in the nature of a substitute was agreed to by unanimous consent. The bill, as amended, was ordered favorably reported to the House of Representatives by unanimous consent.

HEARINGS

For the purposes of clause 3(c)(6) of House rule XIII, the following hearing was used to develop or consider this measure: hearing by the Subcommittee on Federal Lands held on September 18, 2024.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

Section 1 names the bill the “Military Families National Parks Access Enhancement Act”.

Section 2. Lifetime passes

Section 2 amends the Federal Lands Recreation Enhancement Act to allow family members who meet the requirements of Section 1475 of Title 10 U.S. Code or dependency and indemnity compensation under Chapter 13 of title 38 U.S. Code to qualify for a free, lifetime America the Beautiful pass.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Natural Resources’ oversight findings and recommendations are reflected in the body of this report.

COMPLIANCE WITH HOUSE RULE XIII AND CONGRESSIONAL BUDGET ACT

1. *Cost of Legislation and the Congressional Budget Act.* Pursuant to clause 3(c)(2) of House rule XIII and section 308(a) of the Congressional Budget Act of 1974, and pursuant to clause 3(c)(3) of House rule XIII and section 402 of the Congressional Budget Act of 1974, the Committee has requested but not received from the Di-

rector of the Congressional Budget Office a budgetary analysis and a cost estimate of this bill.

2. *General Performance Goals and Objectives.* As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill is to amend the Federal Lands Recreation Enhancement Act to provide for lifetime National Parks and Federal Recreational Lands Passes for family members of members of the Armed Forces who lost their lives while serving their country.

EARMARK STATEMENT

This bill does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined under clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives.

UNFUNDED MANDATES REFORM ACT STATEMENT

An estimate of federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act was not made available to the Committee in time for the filing of this report. The Chair of the Committee shall cause such estimate to be printed in the Congressional Record upon its receipt by the Committee, if such estimate is not publicly available on the Congressional Budget Office website.

EXISTING PROGRAMS

Directed Rule Making. This bill does not contain any directed rule makings.

Duplication of Existing Programs. This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program. Such program was not included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111-139 or identified in the most recent Catalog of Federal Domestic Assistance published pursuant to the Federal Program Information Act (Public Law 95-220, as amended by Public Law 98-169) as relating to other programs.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

Any preemptive effect of this bill over state, local, or tribal law is intended to be consistent with the bill's purposes and text and the Supremacy Clause of Article VI of the U.S. Constitution.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (new matter is printed in italics and existing law in which no change is proposed is shown in roman):

FEDERAL LANDS RECREATION ENHANCEMENT ACT

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DIVISION J—OTHER MATTERS

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TITLE VIII—FEDERAL LANDS RECREATION ENHANCEMENT ACT

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SEC. 805. 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 Secretary shall sell the National Parks and Federal Recreational Lands Pass at all Federal recreational lands and waters at which an entrance fee or a standard amenity recreation fee is charged and at such other locations as the Secretaries consider appropriate and feasible.

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

(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) 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).

(D) Any individual who is a survivor entitled to—

(i) a death gratuity under section 1475 of title 10, United States Code; or

(ii) *dependency and indemnity compensation under chapter 13 of title 38, United States Code.*

(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.—

(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.

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COMMITTEE CORRESPONDENCE

U.S. House of Representatives
Committee on Agriculture
Room 1301, Longworth House Office Building
Washington, DC 20515-6001
(202) 225-2171

December 3, 2024

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The Honorable Bruce Westerman, Chairman
Committee on Natural Resources
1324 Longworth House Office Building
Washington, D C 20515

Dear Mr. Chairman:

This letter confirms our mutual understanding regarding H.R. 9516, the "Military Families National Parks Access Enhancement Act" Thank you for collaborating with the Committee on Agriculture on the matters within our jurisdiction.

The Committee on Agriculture will forego any further consideration of this bill. However, by foregoing consideration at this time, we do not waive any jurisdiction over any subject matter contained in this or similar legislation. The Committee on Agriculture also reserves the right to seek appointment of an appropriate number of conferees should it become necessary and ask that you support such a request.

We would appreciate a response to this letter confirming this understanding with respect to H.R. 9516 and request a copy of our letters on this matter be published in the Congressional Record during Floor consideration.

Sincerely,

Glenn "GT" Thompson
Chairman

- Cc: The Honorable David Scott, Ranking Member, Committee on Agriculture
The Honorable Raúl Grijalva, Ranking Member, Committee on Natural Resources
The Honorable Mike Johnson, Speaker of the House
The Honorable Jason Smith, Parliamentarian, U S House of Representatives

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U.S. House of Representatives
Committee on Natural Resources
Washington, DC 20515

December 4, 2024

The Honorable Glenn "GT" Thompson
Chairman
Committee on Agriculture
1301 Longworth House Office Building
Washington, DC 20515

Dear Mr. Chairman:

I write regarding H.R. 9516, the "Military Families National Parks Access Enhancement Act," which was ordered reported by the Committee on Natural Resources on November 20, 2024.

I recognize that the bill contains provisions that fall within the jurisdiction of the Committee on Agriculture and appreciate your willingness to forgo any further consideration of this bill. I acknowledge that the Committee on Agriculture will not formally consider H.R. 9516 and agree that the inaction of your Committee with respect to the bill does not waive any jurisdiction over the subject matter contained therein.

I am pleased to support your request to name members of the Committee on Agriculture to any conference committee to consider such provisions. I will ensure that our exchange of letters is included in the *Congressional Record* during floor consideration of the bill. I appreciate your cooperation regarding this legislation.

Sincerely,



Bruce Westerman
Chairman
Committee on Natural Resources

cc: The Honorable Mike Johnson, Speaker of the House
The Honorable David Scott, Ranking Member, Committee on Agriculture
The Honorable Raul Grijalva, Ranking Member, Committee on Natural Resources
The Honorable Jason Smith, Parliamentarian, U.S. House of Representatives

