

(Pub. L. 108-317, § 6, Oct. 5, 2004, 118 Stat. 1208.)

### § 6706. Monitoring and evaluation

#### (a) In general

Not later than 5 years after October 5, 2004, and every 5 years thereafter, the Secretary, in consultation with the Secretary of the Interior, shall complete and submit to the Committee on Resources and the Committee on Agriculture of the House of Representatives and to the Committee on Energy and Natural Resources of the Senate a detailed evaluation of the programs and activities of each Institute—

(1) to ensure, to the maximum extent practicable, that the research, communication tools, and information transfer activities of each Institute are sufficient to achieve the purposes of this chapter, including—

(A) implementing active adaptive ecosystem management practices at the landscape level;

(B) reducing unnecessary planning costs;

(C) avoiding duplicative and conflicting efforts;

(D) increasing public acceptance of active adaptive ecosystem management practices; and

(E) achieving general satisfaction on the part of affected entities;

(2) to determine the extent to which each Institute has implemented its duties under section 6704(c) of this title; and

(3) to determine whether continued provision of Federal assistance to each Institute is warranted.

#### (b) Termination of assistance

If, as a result of an evaluation under subsection (a), the Secretary, in consultation with the Secretary of the Interior, determines that an Institute does not qualify for further Federal assistance under this chapter, the Institute shall receive no further Federal assistance under this chapter until such time as the qualifications of the Institute are reestablished to the satisfaction of the Secretaries.

(Pub. L. 108-317, § 7, Oct. 5, 2004, 118 Stat. 1209.)

#### Statutory Notes and Related Subsidiaries

##### CHANGE OF NAME

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

### § 6707. Authorization of appropriations

#### (a) In general

There is authorized to be appropriated to carry out this chapter \$15,000,000 for each fiscal year.

#### (b) Limitation

No funds made available under subsection (a) shall be used to pay the costs of constructing any facilities.

(Pub. L. 108-317, § 8, Oct. 5, 2004, 118 Stat. 1210.)

## CHAPTER 87—FEDERAL LANDS RECREATION ENHANCEMENT

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### § 6801. Definitions

In this chapter:

#### (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 6802(g) of this title.

#### (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 6804 of this title.

#### (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 6804 of this title.

#### (9) Recreation service provider

The term “recreation service provider” means a person that provides recreational services to the public under a special recre-

ation 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 6806 of this title 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 8545 of this title.

**(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; 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 6802(h)(2) of this title.

**(15) Standard amenity recreation fee**

The term “standard amenity recreation fee” means the recreation fee authorized by section 6802(f) of this title.

**(16) State**

The term “State” means each of the several States, the District of Columbia, and each territory of the United States.

(Pub. L. 108-447, div. J, title VIII, §802, Dec. 8, 2004, 118 Stat. 3377; Pub. L. 118-234, title III, §311(a), Jan. 4, 2025, 138 Stat. 2891.)

**Editorial Notes**

**AMENDMENTS**

2025—Pub. L. 118-234, §311(a)(1), made technical amendment to reference in original act which appears in introductory provisions as reference to this chapter.

Par. (1). Pub. L. 118-234, §311(a)(8), redesignated par. (3) as (1). Former par. (1) redesignated (15).

Pub. L. 118-234, §311(a)(2), prior to redesignation of par. (1) as (15), made technical amendment to reference in original act which appears in text as reference to section 6802(f) of this title.

Par. (2). Pub. L. 118-234, §311(a)(3), made technical amendment to reference in original act which appears in text as reference to section 6802(g) of this title.

Pars. (3) to (5). Pub. L. 118-234, §311(a)(8), redesignated pars. (4) to (6) as (3) to (5), respectively. Former par. (3) redesignated (1).

Par. (6). Pub. L. 118-234, §311(a)(8), redesignated par. (7) as (6). Former par. (6) redesignated (5).

Pub. L. 118-234, §311(a)(4), prior to redesignation of par. (6) as (5), made technical amendment to reference in original act which appears in text as reference to section 6804 of this title.

Pars. (7), (8). Pub. L. 118-234, §311(a)(8), redesignated pars. (8) and (9) as (7) and (8), respectively. Former par. (7) redesignated (6).

Par. (9). Pub. L. 118-234, §311(a)(9), added par. (9). Former par. (9) redesignated (8).

Pub. L. 118-234, §311(a)(5), prior to redesignation of par. (9) as (8), made technical amendment to reference in original act which appears in text as reference to section 6804 of this title.

Pars. (10), (11). Pub. L. 118-234, §311(a)(8), redesignated pars. (10) and (11) as (11) and (10), respectively.

Par. (12). Pub. L. 118-234, §311(a)(6), made technical amendment to reference in original act which appears in text as reference to section 6806 of this title.

Par. (13). Pub. L. 118-234, §311(a)(10), added par. (13). Former par. (13) redesignated (14).

Pub. L. 118-234, §311(a)(7), prior to redesignation of par. (13) as (14), substituted “section 6802(h)(2) of this title” for “section 6802(h) of this title”.

Par. (14). Pub. L. 118-234, §311(a)(8), redesignated par. (13) as (14).

Par. (15). Pub. L. 118-234, §311(a)(8), redesignated par. (1) as (15).

Par. (16). Pub. L. 118-234, §311(a)(11), added par. (16).

#### Statutory Notes and Related Subsidiaries

##### SHORT TITLE OF 2020 AMENDMENT

Pub. L. 116-205, §1, Dec. 3, 2020, 134 Stat. 996, provided that: “This Act [amending section 6804 of this title] may be cited as the ‘Wounded Veterans Recreation Act.’”

##### SHORT TITLE

Pub. L. 108-447, div. J, title VIII, §801(a), Dec. 8, 2004, 118 Stat. 3377, provided that: “This title [enacting this chapter, amending section 4607-6a of this title, repealing sections 3911, 5982, and 5991 to 5995 of this title, and repealing provisions set out as a note under 4607-6a of this title] may be cited as the ‘Federal Lands Recreation Enhancement Act.’”

### § 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 6803(d) of this title.

(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 chapter 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,<sup>1</sup> 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 chapter.

(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 chapter.

(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 537 of this title.

##### (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.

<sup>1</sup> See References in Text note below.