

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 6805(a) of this title 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 6802(h) of this title.

(b) Limitation on use of fees

The Secretary may not use any recreation fees for biological monitoring on Federal recreational lands and waters under the Endangered Species Act of 1973 [16 U.S.C. 1531 et seq.] for listed or candidate species.

(c) Administration, overhead, and indirect costs

The Secretary may use not more than an average of 15 percent of total revenues collected under this chapter for administration, overhead, and indirect costs related to the recreation fee program by that Secretary.

(d) Transitional exception

Notwithstanding any other provision of this chapter, the Secretary may use amounts available in the special account of a Federal land management agency to supplement administration and marketing costs associated with—

(1) the National Parks and Federal Recreational Lands Pass during the 5-year period beginning on the date the joint guidelines are issued under section 6804(a)(7) of this title; and

(2) a regional multientity pass authorized section 6804(d) of this title during the 5-year period beginning on the date the regional multientity pass agreement for that recreation pass takes effect.

(Pub. L. 108-447, div. J, title VIII, §808, Dec. 8, 2004, 118 Stat. 3388; Pub. L. 111-11, title VII, §7116(h), Mar. 30, 2009, 123 Stat. 1203; Pub. L. 118-234, title III, §311(d), Jan. 4, 2025, 138 Stat. 2897.)

Editorial Notes

REFERENCES IN TEXT

The Endangered Species Act of 1973, referred to in subsec. (b), is Pub. L. 93-205, Dec. 28, 1973, 87 Stat. 884, which is classified principally to chapter 35 (§1531 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1531 of this title and Tables.

AMENDMENTS

2025—Subsec. (a)(3)(F). Pub. L. 118-234, §311(d)(2)(B), made technical amendment to reference in original act which appears in text as reference to section 6805(a) of this title and substituted semicolon for period at end.

Subsec. (a)(3)(G), (H). Pub. L. 118-234, §311(d)(2)(A), (C), added subpars. (G) and (H).

Subsecs. (c), (d). Pub. L. 118-234, §311(d)(1), made technical amendment to references in original act which appear in text of subsec. (c) and in introductory provisions of subsec. (d) as references to this chapter.

Subsec. (d)(1). Pub. L. 118-234, §311(d)(3)(A), made technical amendment to reference in original act which

appears in text as reference to section 6804(a)(7) of this title.

Subsec. (d)(2). Pub. L. 118-234, §311(d)(3)(B), made technical amendment to reference in original act which appears in text as reference to section 6804(d) of this title.

2009—Subsec. (a)(1)(F). Pub. L. 111-11, which directed technical amendment in subsec. (a)(1)(F) to reference in original act which appears in text as reference to section 6805(a) of this title, could not be executed because there is no subsec. (a)(1)(F) of this section.

§ 6808. Reports

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

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

§ 6809. Sunset provision

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

(Pub. L. 108-447, div. J, title VIII, §810, Dec. 8, 2004, 118 Stat. 3389; Pub. L. 113-235, title F, title IV, §422, Dec. 16, 2014, 128 Stat. 2449; Pub. L. 114-53, div. B, §134, Sept. 30, 2015, 129 Stat. 509, renumbered div. B, Pub. L. 114-113, §8(3), Dec. 18, 2015, 129 Stat. 2245; Pub. L. 114-223, div. C, §133, Sept. 29, 2016, 130 Stat. 914; Pub. L. 115-56, div. D, §131, Sept. 8, 2017, 131 Stat. 1145; Pub. L. 118-234, title III, §311(e), Jan. 4, 2025, 138 Stat. 2898.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, and was translated as reading “this title”, meaning title VIII of div. J of Pub. L. 108-447, Dec. 8, 2004, 118 Stat. 3377, known as the Federal Lands Recreation Enhancement Act, to reflect the probable intent of Congress. For complete classification of title VIII to the Code, see Short Title note set out under section 6801 of this title and Tables.

AMENDMENTS

2025—Pub. L. 118-234 substituted “2031” for “2019”.

2017—Pub. L. 115-56 substituted “September 30, 2019” for “September 30, 2018”.

2016—Pub. L. 114-223 substituted “September 30, 2018” for “September 30, 2017”.

2015—Pub. L. 114-53 substituted “September 30, 2017.” for “on September 30, 2016.”

2014—Pub. L. 113-235 substituted “on September 30, 2016” for “10 years after December 8, 2004”. Amendment was executed as the probable intent of Congress, notwithstanding error in directory language which referenced the editorial translation of “December 8, 2004” rather than “the date of the enactment of this Act” which appeared in the original.

Statutory Notes and Related Subsidiaries

RECREATION FEES

Pub. L. 118-42, div. E, title IV, §421, Mar. 9, 2024, 138 Stat. 290, provided that: “Section 810 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6809)