

Union Calendar No. 403

104TH CONGRESS
2^D SESSION

H. R. 2107

[Report No. 104-757]

A BILL

To amend the Land and Water Conservation Fund Act of 1965 to improve the quality of visitor services provided by Federal land management agencies through an incentive-based recreation fee program, and for other purposes.

SEPTEMBER 4, 1996

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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IN THE HOUSE OF REPRESENTATIVES

JULY 25, 1995

Mr. HANSEN introduced the following bill; which was referred to the Committee on Resources

SEPTEMBER 4, 1996

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on July 25, 1995]

A BILL

To amend the Land and Water Conservation Fund Act of 1965 to improve the quality of visitor services provided by Federal land management agencies through an incentive-based recreation fee program, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Visitor Services Im-*
5 *provement and Outdoor Legacy Act of 1996”.*

6 **SEC. 2. PURPOSE.**

7 *The purpose of this Act is to improve the overall qual-*
8 *ity of the visitor recreation experience on Federal lands*
9 *through increased funding provided by an innovative and*
10 *incentive-based recreation fee program combined with an*
11 *appropriation targeted to meet the increasing demand for*
12 *recreational use of the Federal lands.*

13 **SEC. 3. REPEAL OF EXISTING RECREATION FEE PROGRAM**
14 **AND ESTABLISHMENT OF NEW RECREATION**
15 **FEE PROGRAM.**

16 *Section 4 of the Land and Water Conservation Fund*
17 *Act of 1965 (16 U.S.C. 460l–6a) is amended to read as fol-*
18 *lows:*

19 **“RECREATION FEE PROGRAM**

20 **“SEC. 4. (a) PROGRAM GOALS AND POLICIES.—**

21 **“(1) CONGRESSIONAL GOALS.—***It is the policy of*
22 *Congress that the Federal land management agencies*
23 *develop and implement high quality recreation pro-*
24 *grams adequate to meet the needs of the American*
25 *people and to fund a portion of the cost of providing*
26 *recreation services through recreation fees.*

1 “(2) *ADMINISTRATIVE POLICIES.*—*The admin-*
2 *istering Secretaries shall jointly issue an integrated*
3 *policy for the establishment and collection of recre-*
4 *ation fees under this section. Such policy shall—*

5 “(A) *permit flexibility with regard to the*
6 *amounts charged;*

7 “(B) *provide for maximization of the num-*
8 *ber of persons who pay fees to ensure that fees*
9 *remain at the lowest possible level;*

10 “(C) *provide that comparable fees be*
11 *charged by the several Federal agencies for simi-*
12 *lar services and facilities;*

13 “(D) *provide for the establishment of fees in*
14 *a manner which is equitable among user groups*
15 *and which accounts for any other fees, such as*
16 *commercial tour fees and concession fees, which*
17 *are paid by user groups and used on Federal*
18 *lands for recreational purposes;*

19 “(E) *define administrative overhead and*
20 *specify accounting procedures to ensure that ad-*
21 *ministrative overhead is not included in the cost*
22 *of visitor services provided;*

23 “(F) *provide for a uniform procedure for*
24 *accounting for fees collected under this section;*
25 *and*

1 “(G) recognize the importance of the con-
2 venience of the public by avoiding fee programs
3 which are overly complex or which would require
4 the payment of numerous fees at a particular
5 area.

6 “(b) DEFINITIONS.—For the purposes of this section:

7 “(1) ADMINISTERING SECRETARIES.—The term
8 ‘administering Secretaries’ means—

9 “(A) the Secretary of Agriculture with re-
10 spect to the Forest Service; and

11 “(B) the Secretary of the Interior with re-
12 spect to the National Park Service, Bureau of
13 Land Management, United States Fish and
14 Wildlife Service, and Bureau of Reclamation.

15 “(2) AGENCY.—The term ‘agency’ means an
16 agency referred to in paragraph (1) (A), (B), or (C).

17 “(3) AREA.—The term ‘area’ means an adminis-
18 trative area managed by an agency, such as a unit
19 of the National Park System, a national forest, a na-
20 tional wildlife refuge, and a project area with respect
21 to the Bureau of Reclamation, but does not include
22 Bureau of Reclamation areas managed by a non-Fed-
23 eral entity.

1 “(4) *AREA OF CONCENTRATED PUBLIC USE.*—
2 *The term ‘area of concentrated public use’ means an*
3 *area which—*

4 “(A) *provides developed facilities or services*
5 *necessary to accommodate public use maintained*
6 *at Federal expense;*

7 “(B) *contains at least one major visitor at-*
8 *traction, including (but not limited to) a lake,*
9 *river, historical or cultural site, or geologic fea-*
10 *ture; and*

11 “(C) *provides public access such that admis-*
12 *sion fees can be cost-effectively collected.*

13 “(5) *RECREATION FEES.*—*The term ‘recreation*
14 *fees’ means admission fees, recreation use fees, and*
15 *fees granted to Federal agencies from States whether*
16 *collected by agency personnel or others.*

17 “(6) *ADMISSION FEES.*—*The term ‘admission*
18 *fees’ means fees charged for entry into any area des-*
19 *ignated by the administering Secretary.*

20 “(7) *RECREATION USE FEE.*—*The term ‘recre-*
21 *ation use fees’ means the charge for specialized recre-*
22 *ation services or facilities furnished at Federal Gov-*
23 *ernment expense, including (but not limited to)*
24 *campgrounds, boat ramps, and back country camping*
25 *by permit.*

1 “(8) *VISITOR SERVICES.*—*The term ‘visitor serv-*
2 *ices’ means services and costs directly associated with*
3 *management of recreation visitors to Federal lands,*
4 *including (but not limited to) such programs as*
5 *maintenance of facilities which serve primarily visi-*
6 *tor recreation use (such as campgrounds, scenic roads,*
7 *trails, visitor centers and picnic areas), public infor-*
8 *mation and interpretation, resource protection di-*
9 *rectly related to public use (such as stream improve-*
10 *ment to improve fishing or mitigation of impacts to*
11 *resources resulting from visitor use), and other activi-*
12 *ties of personnel assigned predominantly to manage-*
13 *ment of visitors or public safety programs, but not in-*
14 *cluding costs of regional and Washington head-*
15 *quarters offices or any administrative services such as*
16 *personnel, budget and finance, and procurement.*

17 “(9) *PRE-1996 AUTHORIZED RECREATION RE-*
18 *CEIPTS.*—*The term ‘pre-1996 authorized recreation*
19 *receipts’ means the receipts that would have been re-*
20 *ceived for a fiscal year from fees collected under sec-*
21 *tion 4 of the Land and Water Conservation Fund Act*
22 *of 1965 as such section was in effect on the day before*
23 *the date of the enactment of the Visitor Services Im-*
24 *provement and Outdoor Legacy Act of 1996.*

1 “(10) *CONCESSION FEES.*—*The term ‘concession*
2 *fees’ means fees paid to the United States pursuant*
3 *to provisions of law other than this section for the*
4 *privilege of providing concession services, fees paid for*
5 *the lease of government-owned facilities, and amounts*
6 *paid for construction of visitor facilities.*

7 “(c) *ESTABLISHMENT.*—

8 “(1) *IN GENERAL.*—*In order to improve the*
9 *quality of the visitor experience on Federal lands, the*
10 *administering Secretaries shall establish and imple-*
11 *ment a fee program in accordance with this section*
12 *which provides for partial recovery of the costs of visi-*
13 *tor services provided through admission fees, recre-*
14 *ation use fees, and concession fees. In carrying out*
15 *such program, the administering Secretaries are au-*
16 *thorized and directed to collect admission fees in ac-*
17 *cordance with this section at areas administered by*
18 *the National Park Service and areas of concentrated*
19 *public use. In addition, the administering Secretaries*
20 *shall collect recreation use fees at areas under their*
21 *administration.*

22 “(2) *FACTORS IN ESTABLISHING AND ADJUSTING*
23 *AMOUNT OF FEES.*—(A) *All fees established pursuant*
24 *to this section shall be fair and equitable, taking into*
25 *consideration the direct and indirect cost to the Fed-*

1 *eral Government, the benefits to the recipient, the*
2 *public policy or interest served, the comparable recre-*
3 *ation fees charged by other public and private enti-*
4 *ties, the economic and administrative feasibility of fee*
5 *collection, convenience to the recreation user, and*
6 *other pertinent factors.*

7 *“(B) Any adjustments in fees shall take into ac-*
8 *count the factors specified in subparagraph (A).*

9 *“(3) PUBLIC COMMENT AND FEDERAL REGISTER*
10 *NOTICE ON ADMISSION AND COMMERCIAL TOUR*
11 *FEES.—(A) In the case of public admission fees, the*
12 *administering Secretaries shall publish in the Federal*
13 *Register, for a 30-day comment period, a proposed*
14 *schedule of all changes to such fees not later than six*
15 *months prior to such fee changes.*

16 *“(B) In the case of changes to commercial tour*
17 *fees or initiating a new commercial tour fee, the ad-*
18 *ministering Secretaries shall publish in the Federal*
19 *Register—*

20 *“(i)(I) for a 30-day comment period, a pro-*
21 *posed schedule of all significant changes in such*
22 *fees not later than 14 months prior to such fee*
23 *change or initiation; and*

1 “(II) a final schedule not later than 12
2 months prior to such fee change or initiation;
3 and

4 “(ii) a schedule of all changes (other than
5 those subject to clause (i)), in such fees not later
6 than six months prior to such fee changes.

7 “(4) CONTINUATION OF FEE AUTHORITY.—Until
8 an admission or commercial tour fee is initiated and
9 in effect under this section, the admission or commer-
10 cial tour fee at an area administered by the agencies
11 shall be determined in accordance with the applicable
12 laws in effect on the day before the date of enactment
13 of the Visitor Services Improvement and Outdoor Leg-
14 acy Act of 1996.

15 “(5) NOTICE OF FEES.—Clear notice that a fee
16 has been established pursuant to this section, and the
17 amount thereof, shall be prominently posted at appro-
18 priate locations in each area and shall be included in
19 agency publications distributed with respect to such
20 areas.

21 “(6) TARGET RECREATION REVENUE GOALS.—
22 Effective for the fifth fiscal year beginning after the
23 enactment of this section, the administering Secretary
24 shall develop annually a target recreation revenue
25 goal for each area administered by the Secretary

1 *which reflects the estimated ability for such area to*
2 *collect recreation fees. The administering Secretary*
3 *shall develop that target based on historical data, pro-*
4 *jected visitation, and such other data as are available*
5 *to the Secretary.*

6 “(7) *FEE COLLECTION PERSONNEL.*—*Personnel*
7 *exclusively assigned to fee collection duties, which are*
8 *over and above the number of such personnel assigned*
9 *exclusively to fee collection duties on the day prior to*
10 *enactment of this Act, shall not be counted against*
11 *any full-time equivalent ceiling established for that*
12 *agency.*

13 “(d) *RECREATION FEES.*—

14 “(1) *SINGLE ADMISSION VISITS.*—*Reasonable ad-*
15 *mission fees for a single visit to any designated area*
16 *shall be established by the administering Secretary. A*
17 *‘single visit’ means a more or less continuous stay*
18 *within a designated area. Payment of a single visit*
19 *admission fee shall authorize exits from and reentries*
20 *to a single designated area for a period of from one*
21 *to fifteen days, such period to be defined for each des-*
22 *ignated area by the administering Secretary based*
23 *upon a determination of the period of time reasonably*
24 *and ordinarily necessary for such a single visit. The*
25 *single visit entrance fee for private parties and com-*

1 *mercial tours shall be set by the administering Sec-*
2 *retaries and may be adjusted, taking into account the*
3 *factors specified in subsection (c)(2). The Secretaries*
4 *shall ensure that where appropriate the admission fee*
5 *schedule developed provides economic incentives for*
6 *use of alternative modes of transportation, including*
7 *mass transportation, at areas experiencing high levels*
8 *of automobile traffic. The administering Secretaries*
9 *are authorized to implement admission fee practices*
10 *which vary by day of the week, season, expedite entry*
11 *and reduce congestion.*

12 *“(2) ANNUAL ADMISSION PERMITS: GOLDEN*
13 *EAGLE PASSPORT.—*

14 *(A) GOLDEN EAGLE PASSPORT.—For ad-*
15 *mission into any area at which admission fees*
16 *are charged pursuant to this section, an admis-*
17 *sion permit, to be known as the ‘Golden Eagle*
18 *Passport’, valid for a 12-month period, shall be*
19 *available. The fee for the passport shall be set*
20 *jointly by the administering Secretaries, taking*
21 *into account the factors specified in subsection*
22 *(c)(2). The permittee and all persons accom-*
23 *panying the permittee in a single, private, non-*
24 *commercial vehicle or, alternatively, the permit-*
25 *tee and the permittee’s spouse, children, and par-*

1 *ents accompanying the permittee shall be entitled*
2 *to general admission into any area designated*
3 *pursuant to this section. The permit shall be*
4 *nontransferable, and the unlawful use thereof*
5 *shall be punishable in accordance with regula-*
6 *tions established pursuant to subsection (g). The*
7 *permit shall be available for purchase at any*
8 *such designated area.*

9 “(B) *The administering Secretaries may*
10 *authorize units of State or local government, or-*
11 *ganizations, businesses, and nonprofit entities to*
12 *sell and collect admission fees, including the*
13 *Golden Eagle Passport, subject to such conditions*
14 *as the Secretaries may jointly prescribe. The Sec-*
15 *retaries shall develop detailed guidelines for pro-*
16 *motional advertising of non-Federal passport*
17 *sales and monitor compliance with those guide-*
18 *lines. The Secretaries may authorize the seller or*
19 *sellers to maintain an inventory of Golden Eagle*
20 *Passports for periods not to exceed six months*
21 *and to withhold amounts up to, but not exceed-*
22 *ing, eight percent of the gross fees collected from*
23 *Golden Eagle Passport sales as reimbursement*
24 *for actual expenses of the sales.*

1 “(3) *ANNUAL GEOGRAPHIC ADMISSION PER-*
2 *MITS.—For admission into a specific designated area*
3 *or into several specific areas located in a particular*
4 *geographic region at which admission fees are charged*
5 *pursuant to this section, the administering Secretary*
6 *or Secretaries are authorized to make available an*
7 *annual admission permit. The permit shall convey*
8 *the privileges of, and shall be subject to the same*
9 *terms and conditions as, the Golden Eagle Passport,*
10 *except that it shall be valid only for admission into*
11 *the specific area or areas indicated at the time of*
12 *purchase.*

13 “(4) *GOLDEN ACCESS PASSPORT.—The Secretary*
14 *of the Interior and the Secretary of Agriculture shall*
15 *establish procedures providing for the issuance of a*
16 *lifetime admission permit to any citizen of, or person*
17 *legally domiciled in, the United States, if such citizen*
18 *or person applies for such permit and is permanently*
19 *disabled. Such procedures shall ensure that a lifetime*
20 *admission permit shall be issued only to persons who*
21 *have been medically determined to be permanently*
22 *disabled. A lifetime admission permit shall be non-*
23 *transferable, shall be issued without charge, and shall*
24 *entitle the permittee and one accompanying individ-*
25 *ual to general admission into any area designated*

1 *pursuant to this section, notwithstanding the method*
2 *of travel.*

3 “(5) *RECREATION USE FEES.*—*Each agency de-*
4 *veloping, administering, providing, or furnishing at*
5 *Federal expense services for such activities as camp-*
6 *ing, including back country camping under permit,*
7 *guarded swimming sites, boat launch facilities, group*
8 *activities including picnic sites, managed parking*
9 *lots, motorized recreation use and other recreation*
10 *uses, shall in accordance with this section provide for*
11 *the collection of recreation use fees at the place of use*
12 *or any reasonably convenient location. The admin-*
13 *istering Secretary may establish both daily and an-*
14 *nuual recreation use fees. Fees may not be charged by*
15 *any such agency for the use, either singly or in any*
16 *combination, of drinking water, wayside exhibits,*
17 *overlook sites, toilet facilities, or picnic tables.*

18 “(6) *COMMERCIAL TOUR USE FEE.*—(A) *For*
19 *each area for which an admission fee is charged*
20 *under this section, the administering Secretary shall*
21 *charge any fee on a per vehicle basis for each vehicle*
22 *or vessel and passengers entering the area for the pur-*
23 *pose of providing commercial tour services.*

24 “(B) *The Secretary of the Interior shall charge*
25 *a commercial tour fee for aircraft entering the air-*

1 *space of units of the National Park System in the*
2 *same manner and by the same means as provided in*
3 *section 4(n) of the Land and Water Conservation*
4 *Fund Act of 1965, as in effect immediately before the*
5 *enactment of the Visitor Services Improvement and*
6 *Outdoor Legacy Act of 1996.*

7 *“(C) Within 12 months after the date of enact-*
8 *ment of the Visitor Services Improvement and Out-*
9 *door Legacy Act of 1996, the Secretary of the Interior*
10 *and the Secretary of Transportation shall jointly sub-*
11 *mit a report to the appropriate committees of Con-*
12 *gress outlining revisions to the commercial tour fee*
13 *schedule for aircraft which encourages the use of quiet*
14 *aircraft technology.*

15 *“(7) TRANSPORTATION PROVIDED BY THE SEC-*
16 *RETARY.—Where the administering Secretary pro-*
17 *vides transportation to visit all or a portion of any*
18 *area, he may impose a charge for such service. Collec-*
19 *tion of such fees may occur at the transportation stag-*
20 *ing area or any reasonably convenient location,*
21 *whether inside or outside of the area boundary. The*
22 *administering Secretary may enter into arrangements*
23 *with qualified public or private entities pursuant to*
24 *which such entities may collect such fees. Such funds*
25 *collected shall be retained at the area where the serv-*

1 *ice was provided and expended for costs associated*
2 *with the transportation system.*

3 “(8) *PERSONS 12 YEARS OF AGE OR UNDER.—*
4 *The admission fee for a person who is 12 years of age*
5 *or under at any area for which admission fees are*
6 *charged on a per person basis shall be no greater than*
7 *50 percent of the per person admission fee of a person*
8 *older than 12 years.*

9 “(e) *ESTABLISHMENT OF ACCOUNTS AND DEPOSIT OF*
10 *RECREATION FEES.—*

11 “(1) *ESTABLISHMENT.—The Secretary of the*
12 *Treasury shall establish a special account in the*
13 *Treasury for each agency which collects recreation fees*
14 *under this section. Within each such account, the ad-*
15 *ministering Secretary shall separately account for re-*
16 *ceipts and disbursements of funds for each area.*

17 “(2) *DEPOSITS.—(A) The administering Sec-*
18 *retary shall deposit in each agency account all re-*
19 *ceipts from fees collected pursuant to this section by*
20 *any Federal agency (or by any public or private en-*
21 *tity under contract with a Federal agency).*

22 “(B) *All funds from the sale of the Golden Eagle*
23 *Passport shall be divided among the agencies based on*
24 *a formula which the administering Secretaries shall*
25 *devise and which considers total recreation admission*

1 *fees collected by the agency and total recreation use*
2 *at designated admission fee areas provided by the*
3 *agency. Funds from the sale of the Golden Eagle Pass-*
4 *port shall be deposited as recreation fees collected into*
5 *the appropriate agency account.*

6 *“(C) All funds from the sale of geographic ad-*
7 *mission permits under subsection (d)(3) shall be di-*
8 *vided among the areas for which such permits were*
9 *issued on the basis of visitor use, length of stay, and*
10 *other pertinent factors as determined by the admin-*
11 *istering Secretaries and shall be deposited as recre-*
12 *ation fees collected from those areas into the appro-*
13 *priate agency account.*

14 *“(3) FEE COLLECTION COSTS.—Notwithstanding*
15 *any other provision of law, the administering Sec-*
16 *retary may, in any fiscal year, withdraw from the*
17 *special account established under paragraph (1) an*
18 *amount up to 15 percent of all receipts collected*
19 *under this section in the preceding fiscal year. The*
20 *amounts so withdrawn shall be retained by the ad-*
21 *ministering Secretaries, and shall be available, with-*
22 *out further appropriation, for expenditure by the Sec-*
23 *retary concerned to cover fee collection costs, and shall*
24 *remain available until expended. For the purposes of*
25 *this paragraph, for any fiscal year, the term ‘fee col-*

1 *lection costs' means those costs for personnel and in-*
2 *frastructure directly associated with the collection of*
3 *fees imposed under this section.*

4 *“(4) USE OF RECREATION FEES.—Amounts cov-*
5 *ered into the special account for each agency during*
6 *each fiscal year shall be available after the end of*
7 *such fiscal year for appropriation for visitor services,*
8 *except as provided in paragraphs (3) and (5). Funds*
9 *credited to the special account shall remain available*
10 *until expended.*

11 *“(5) AMOUNTS IN EXCESS OF PRE-1996 AUTHOR-*
12 *IZED RECREATION RECEIPTS.—Beginning in fiscal*
13 *year 1996 and each fiscal year thereafter, all funds*
14 *deposited in special accounts in the Treasury for each*
15 *agency under this section which are in addition to*
16 *funds collected in fiscal year 1995 shall be made im-*
17 *mediately available to that agency without further*
18 *appropriation. Of the amounts made available under*
19 *this paragraph after the application of paragraph*
20 *(3), 75 percent shall be allocated among the units or*
21 *areas of each agency in the same proportion as fees*
22 *collected from that specific area bear to the total*
23 *amount of fees collected from all areas of that agency*
24 *for the fiscal year. In addition, one-third of the*
25 *amount of recreation fees collected from the area*

1 *which exceeds the target recreation revenue goal speci-*
2 *fied in subsection (c)(5) for that area shall be made*
3 *available to that area without further appropriation.*
4 *The remainder of the fees collected pursuant to this*
5 *section shall be allocated among each agency's areas*
6 *on the basis of need as determined by the Secretary.*
7 *All such funds shall remain available until expended.*
8 *Funds deposited into accounts under this paragraph*
9 *may only be used (A) to fund visitor services on Fed-*
10 *eral lands, (B) for repair, rehabilitation, or replace-*
11 *ment of visitor use facilities, and (C) for construction*
12 *of new facilities necessary to establish a recreation fee*
13 *program at any area.*

14 “(f) *ACCOUNTABILITY OF FUNDING.*—*The Comptroller*
15 *General of the United States shall conduct periodic audits*
16 *to ensure that amounts received under this section are fully*
17 *accounted for and not diverted to administrative overhead*
18 *or other programs not directly related to visitor services.*

19 “(g) *ENFORCEMENT OF FEE COLLECTION POLICIES.*—
20 *In accordance with the provisions of this section, the ad-*
21 *ministering Secretaries may prescribe rules and regulations*
22 *for areas under their administration for the collection of*
23 *any fee established pursuant to this section. Persons author-*
24 *ized by the administering Secretaries to enforce any such*
25 *rules or regulations issued under this section may, within*

1 *areas under the administration or authority of such admin-*
2 *istering Secretary and with or, if the offense is committed*
3 *in his presence, without a warrant, arrest any person who*
4 *violates such rules and regulations. Any person so arrested*
5 *may be tried and sentenced by the United States magistrate*
6 *specifically designated for that purpose by the court by*
7 *which he was appointed, in the same manner and subject*
8 *to the same conditions as provided in subsections (b), (c),*
9 *(d), and (e) of section 3401 of title 18, United States Code.*
10 *Any violations of the rules and regulations issued under*
11 *this subsection shall be punishable by a fine as provided*
12 *by law.*

13 “(h) *NON-FEDERAL RESERVATIONS.—The administer-*
14 *ing Secretary, under such terms and conditions as he deems*
15 *appropriate, may contract with any public or private en-*
16 *tity to provide visitor reservation services. Any such con-*
17 *tract may provide that the contractor shall be permitted*
18 *to deduct a commission to be fixed by the agency head from*
19 *the amount charged the public for providing such services*
20 *and to remit the net proceeds therefrom to the contracting*
21 *agency.*

22 “(i) *USE OF VOLUNTEERS FOR FEE COLLECTION.—*
23 *When authorized by the administering Secretary, volunteers*
24 *at designated areas may collect fees authorized or estab-*
25 *lished pursuant to this section. The administering Secretary*

1 *shall ensure that such volunteers have adequate training for*
2 *this purpose. The administering Secretary may require a*
3 *surety bond for any such volunteer performing services*
4 *under this subsection. Funds available to the collecting*
5 *agency may be used to cover the cost of any such surety*
6 *bond.*

7 “(j) *MITIGATION OF ANY IMPACTS OF RECREATIONAL*
8 *FEES ON LOW-INCOME INDIVIDUALS.—In carrying out this*
9 *section, the administering Secretaries shall implement such*
10 *programs as are necessary to ensure any impacts of rec-*
11 *reational fees on low-income persons are minimized. The*
12 *administering Secretaries shall determine any effects on*
13 *low-income individuals of recreation use and admission fees*
14 *and shall jointly submit recommendations to the Congress*
15 *regarding actions to be taken to resolve such impacts. Such*
16 *recommendations shall be included as part of the four-year*
17 *report required to be submitted under subsection (m)(1).*

18 “(k) *LIMITATIONS ON FEES.—*

19 “(1) *ACTIVITIES NOT SUBJECT TO FEES.—Noth-*
20 *ing in this section shall be construed to—*

21 “(A) *authorize Federal hunting or fishing*
22 *licenses or fees;*

23 “(B) *affect any rights or authority of the*
24 *States with respect to fish and wildlife;*

1 “(C) authorize the collection of fees from
2 any person who has a right of access for hunting
3 or fishing privileges under a specific provision of
4 law or treaty;

5 “(D) authorize charges for commercial or
6 other activities not related to recreation; or

7 “(E) authorize an admission fee or a com-
8 mercial tour fee at any area for organized school
9 groups on outings conducted for educational pur-
10 poses.

11 “(2) *THROUGH TRAVEL.*—No admission fee shall
12 be charged for travel by private, noncommercial vehi-
13 cle or commercial tour vehicle over any national
14 parkway or any road or highway established as a
15 part of the National Federal Aid System, as defined
16 in section 101, title 23, United States Code, which is
17 commonly used by the public as a means of travel be-
18 tween two places either or both of which are outside
19 the area. Nor shall any fee be charged for travel by
20 private, noncommercial vehicle over any road or high-
21 way to any land in which such person has any prop-
22 erty right if such land is within any such designated
23 area.

24 “(3) *PERSONS CONDUCTING GOVERNMENTAL*
25 *BUSINESS.*—No admission fee shall be charged to per-

1 *sons engaged in the conduct of official Federal, State*
2 *or local government business or to others authorized*
3 *by the administering Secretary to conduct adminis-*
4 *trative duties within the area.*

5 *“(4) LIFETIME ADMISSION PERMITS.—No admis-*
6 *sion fee shall be charged under this section to any*
7 *person who possesses a lifetime admission permit is-*
8 *ssued under section 4(a)(4) of this Act as in effect on*
9 *the day before the date of the enactment of the Visitor*
10 *Services Improvement and Outdoor Legacy Act of*
11 *1996.*

12 *“(l) ANNUAL REPORTING REQUIREMENTS.—Reports*
13 *indicating the number and location of fee collection areas,*
14 *visitor use statistics, fees collected, and other pertinent data,*
15 *shall be coordinated and compiled by the administering*
16 *Secretaries and transmitted to the Committee on Resources*
17 *of the United States House of Representatives and the Com-*
18 *mittee on Energy and Natural Resources of the United*
19 *States Senate. These reports shall be transmitted annually*
20 *not later than the submission of the President’s budget*
21 *under section 1105 of title 31, United States Code, and shall*
22 *include any recommendations which the Secretaries may*
23 *have with respect to improving the recreation fee program.*

24 *“(m) IMPLEMENTATION REPORT; EFFECTIVE DATE*
25 *FOR FEES AND TARGETS.—Not later than four years after*

1 *the date of enactment of the Visitor Services Improvement*
2 *and Outdoor Legacy Act of 1996, the administering Sec-*
3 *retaries shall submit reports to Congress on the implementa-*
4 *tion of this section. Such reports shall include the policy*
5 *statement developed under subsection (a)(2), the likely level*
6 *of potential cost recovery from the recreation fee program*
7 *for each agency, the fees to be charged under this section,*
8 *and the target recreation revenue goals for each area subject*
9 *to this section. Such fees and target recreation revenue goals*
10 *shall be effective beginning with the fifth fiscal year begin-*
11 *ning after the enactment of the Visitor Services Improve-*
12 *ment and Outdoor Legacy Act of 1996 unless Congress en-*
13 *acts a joint resolution before the beginning of such fiscal*
14 *year specifying otherwise.*

15 “(n) *EXEMPTION OF FEES.*—*Amounts collected under*
16 *this section which exceed the 1995 authorized recreation re-*
17 *ceipts shall not be taken into account for the purposes of*
18 *the Act of May 23, 1908, and the Act of March 1, 1911*
19 *(16 U.S.C. 500), the Act of March 4, 1913 (16 U.S.C. 501),*
20 *the Act of July 22, 1937 (7 U.S.C. 1012), the Act of August*
21 *8, 1937, and the Act of May 24, 1939 (43 U.S.C. 1181f*
22 *et seq.), the Act of June 14, 1926 (43 U.S.C. 869–4), chapter*
23 *69 of title 31, United States Code, section 401 of the Act*
24 *of June 15, 1935 (16 U.S.C. 715s), the Land and Water*
25 *Conservation Fund Act of 1965 (16 U.S.C. 460l–1–4–460l–*

1 11), and any other provision of law relating to revenue allo-
2 cation.

3 “(o) *AUTHORIZATION OF APPROPRIATIONS.*—

4 “(1) *FIRST 4 YEARS.*—During the first four fis-
5 cal years beginning after the enactment of the Visitor
6 Services Improvement and Outdoor Legacy Act of
7 1996, there is authorized to be appropriated for a fis-
8 cal year amounts which would have been appro-
9 priated for that fiscal year under section 4 of the
10 Land and Water Conservation Fund Act of 1965, as
11 such section was in effect on the day before the date
12 of enactment of the Visitor Services Improvement and
13 Outdoor Legacy Act of 1996.

14 “(2) *GUARANTEE OF FUNDING ENHANCEMENT*
15 *BEGINNING WITH THE 5TH FISCAL YEAR.*—(A) *Effec-*
16 *tive for the fifth fiscal year beginning after the enact-*
17 *ment of the Visitor Services Improvement and Out-*
18 *door Legacy Act of 1996 and thereafter, after target*
19 *recreation revenue goals are submitted to the Congress*
20 *under subsection (m), there is authorized to be appro-*
21 *priated for each agency for each fiscal year an*
22 *amount such that the total funding available for visi-*
23 *tor services from recreational fees and appropriated*
24 *amounts is not less than 125 percent of the adjusted*
25 *1995 base amount.*

1 “(B) For the purpose of subparagraph (A), the
2 term ‘adjusted 1995 base amount’ means the amount
3 appropriated for visitor services for fiscal year 1995
4 increased or decreased for a fiscal year by the percent-
5 age (if any) by which the average Consumer Price
6 Index for the preceding fiscal year exceeds the average
7 Consumer Price Index for fiscal year 1995. For pur-
8 poses of this subparagraph, the term ‘Consumer Price
9 Index’ means the Consumer Price Index for all-urban
10 consumers published by the Bureau of Labor Statis-
11 tics, Department of Labor.”.

12 **SEC. 4. CONFORMING AMENDMENTS.**

13 (a)(1)(A) Title I of the Department of the Interior and
14 Related Agencies Appropriations Act, 1994 is amended by
15 striking out the third proviso under the heading “ADMINIS-
16 TRATIVE PROVISIONS” which is under the heading “NA-
17 TIONAL PARK SERVICE” (related to recovery of costs associ-
18 ated with special use permits).

19 (B) For those recreational activities for which a fee
20 was charged prior to September 30, 1995, under the provi-
21 sion of law amended by subparagraph (A), the Secretary
22 may continue to charge and retain such fees until such park
23 is able to receive reimbursement under section 4 of the Land
24 and Water Conservation Fund Act of 1965, as amended by
25 this Act.

1 (2) *Section 3 of the Act entitled “An Act to establish*
2 *a National Park Service, and for other purposes”, approved*
3 *August 25, 1916 (16 U.S.C. 3), is amended—*

4 (A) *by inserting “(a)” after “3.”; and*

5 (B) *by adding at the end the following:*

6 “(b) *The Secretary shall publish regulations governing*
7 *commercial or nonrecreational special uses of units of the*
8 *National Park System for which a fee is not authorized to*
9 *be charged under section 4 of the Land and Water Conserva-*
10 *tion Fund Act of 1965 (16 U.S.C. 460l–6), including (but*
11 *not limited to) such activities as filming, special athletic*
12 *or sporting events, weddings, cultural events and festivals.*
13 *After adoption of such regulations, the Secretary may re-*
14 *tain an amount equal to the direct administrative costs as-*
15 *sociated with issuing any permits and managing such ac-*
16 *tivities (including, but not limited to, personnel costs, clean*
17 *up costs, and other special services) for which such permit*
18 *is issued. Such amounts retained shall be credited to the*
19 *appropriation current at the time, and may only be spent*
20 *for activities directly in support of the purposes for which*
21 *the permit was issued. Such amounts retained are author-*
22 *ized to remain available until expended.”.*

23 (b) *The following Public Laws are amended as follows:*

24 (1) *Section 5(e) of Public Law 87–657 (16*
25 *U.S.C. 459c–5(e)), as amended, is hereby repealed.*

1 (2) *Section 3(b) of Public Law 87-750 (16*
2 *U.S.C. 398e(b)) is hereby repealed.*

3 (3) *Section 4(e) of Public Law 92-589 (16*
4 *U.S.C. 460bb-3), as amended, is further amended by*
5 *striking the first sentence.*

6 (4) *Section 6(j) of Public Law 95-348 (92 Stat.*
7 *493) is hereby repealed.*

8 (5) *Section 207 of Public Law 96-199 (94 Stat.*
9 *77) is hereby repealed.*

10 (6) *Section 106 of Public Law 96-287 (94 Stat.*
11 *600) is amended by striking the last sentence.*

12 (7) *Section 204 of Public Law 96-287 (94 Stat.*
13 *601) is amended by striking the last sentence.*

14 (8) *Section 5 of Public Law 96-428 (94 Stat.*
15 *1842) is hereby repealed.*

16 (9) *Public Law 100-55 (101 Stat. 371) is hereby*
17 *repealed.*

18 (10) *Section 203 of the Alaska National Interest*
19 *Lands Conservation Act shall not apply with respect*
20 *to charging an admission fee at Denali National Park*
21 *and Preserve in Alaska.*

1 **SEC. 5. SAVINGS PROVISION RELATING TO AREAS ADMINIS-**
2 **TERED BY THE UNITED STATES ARMY CORPS**
3 **OF ENGINEERS.**

4 *Areas at civil works projects administered by the Unit-*
5 *ed States Army Corps of Engineers shall be subject to sec-*
6 *tion 4 of the Land and Water Conservation Fund Act of*
7 *1965, as in effect immediately before the enactment of this*
8 *Act, in lieu of being subject to the amendments made by*
9 *this Act.*