

108TH CONGRESS  
1ST SESSION

# S. 1107

To enhance the Recreational Fee Demonstration Program for the National Park Service, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

MAY 22, 2003

Mr. THOMAS introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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## A BILL

To enhance the Recreational Fee Demonstration Program for the National Park Service, 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 “Recreational Fee Au-  
5 thority Act of 2003”.

6 **SEC. 2. RECREATION FEE AUTHORITY.**

7 (a) IN GENERAL.—Beginning in Fiscal Year 2004  
8 and thereafter, the Secretary of the Interior (“Secretary”)  
9 may establish, modify, charge, and collect fees for admis-  
10 sion to a unit of the National Park System and the use

1 of National Park Service (“Service”) administered areas,  
2 lands, sites, facilities, and services (including reservations)  
3 by individuals and/or groups. Fees shall be based on an  
4 analysis by the Secretary of—

5 (1) the benefits and services provided to the vis-  
6 itor;

7 (2) the cumulative effect of fees;

8 (3) the comparable fees charged elsewhere and  
9 by other public agencies and by nearby private sec-  
10 tor operators;

11 (4) the direct and indirect cost and benefit to  
12 the government;

13 (5) public policy or management objectives  
14 served;

15 (6) economic and administrative feasibility of  
16 fee collection; and

17 (7) other factors or criteria determined by the  
18 Secretary.

19 (b) NUMBER OF FEES.—The Secretary shall estab-  
20 lish the minimum number of fees and shall avoid the col-  
21 lection of multiple or layered fees for a wide variety of  
22 uses, activities or programs.

23 (c) ANALYSIS.—The results of the analysis together  
24 with the Secretary’s determination of appropriate fee lev-  
25 els shall be transmitted to the Congress at least three

1 months prior to publication of such fees in the Federal  
2 Register. New fees and any increases or decreases in es-  
3 tablished fees shall be published in the Federal Register  
4 and no new fee or change in the amount of fees shall take  
5 place until at least 12 months after the date the notice  
6 is published in the Federal Register.

7 (d) ADDITIONAL AUTHORITIES.—Beginning on Octo-  
8 ber 1, 2003 the Secretary may enter into agreements, in-  
9 cluding contracts to provide reasonable commissions or re-  
10 imbursements with any public or private entity for visitor  
11 reservation services, fee collection and/or processing serv-  
12 ices.

13 (e) ADMINISTRATION.—The Secretary may provide  
14 discounted or free admission days or use, may modify the  
15 National Park Passport, established pursuant to Public  
16 Law 105–391, and shall provide information to the public  
17 about the various fee programs and the costs and benefits  
18 of each program.

19 (f) STATE AGENCY ADMISSION AND SPECIAL USE  
20 PASSES.—Effective October 1, 2003 and notwithstanding  
21 the Federal Grants Cooperative Agreements Act, the Sec-  
22 retary may enter into revenue sharing agreements with  
23 State agencies to accept their annual passes and convey  
24 the same privileges, terms and conditions as offered under  
25 the auspices of the National Park Passport, to State agen-

1 cy annual passes and shall only be accepted for all of the  
2 units of the National Park System within the boundaries  
3 of the State in which the specific revenue sharing agree-  
4 ment is entered into except where the Secretary has estab-  
5 lished a fee that includes a unit or units located in more  
6 than one State.

7 **SEC. 3. DISTRIBUTION OF RECEIPTS.**

8 Without further appropriation, all receipts collected  
9 pursuant to the Act or from sales of the National Park  
10 Passport shall be retained by the Secretary and may be  
11 expended as follows:

12 (1) 80 percent of amounts collected at a specific  
13 area, site, or project as determined by the Secretary,  
14 shall remain available for use at the specific area,  
15 site or project, except for those units of the National  
16 Park System that participate in an active revenue  
17 sharing agreement with a State under Section 2(f)  
18 of this Act, not less than 90 percent of amounts col-  
19 lected at a specific area, site, or project shall remain  
20 available for use.

21 (2) The balance of the amounts collected shall  
22 remain available for use by the Service on a Service-  
23 wide basis as determined by the Secretary.

24 (3) Monies generated as a result of revenue  
25 sharing agreements established pursuant to Section

1 2(f) may provide for a fee-sharing arrangement. The  
2 Service shares of fees shall be distributed equally to  
3 all units of the National Park System in the specific  
4 States that are parties to the revenue sharing agree-  
5 ment.

6 (4) Not less than 50 percent of the amounts  
7 collected from the sale of the National Park Pass-  
8 port shall remain available for use at the specific  
9 area, site, or project at which the fees were collected  
10 and the balance of the receipts shall be distributed  
11 in accordance with paragraph 2 of this Section.

12 **SEC. 4. EXPENDITURES.**

13 (a) USE OF FEES AT SPECIFIC AREA, SITE, OR  
14 PROJECT.—Amounts available for expenditure at a spe-  
15 cific area, site or project shall be accounted for separately  
16 and may be used for—

17 (1) repair, maintenance, facility enhancement,  
18 media services and infrastructure including projects  
19 and expenses relating to visitor enjoyment, visitor  
20 access, environmental compliance, and health and  
21 safety;

22 (2) interpretation, visitor information, visitor  
23 service, visitor needs assessments, monitoring, and  
24 signs;

1           (3) habitat enhancement, resource assessment,  
2           preservation, protection, and restoration related to  
3           recreation use; and

4           (4) law enforcement relating to public use and  
5           recreation.

6           (b) The Secretary may use not more than fifteen per-  
7           cent of total revenues to administer the recreation fee pro-  
8           gram including direct operating or capital costs, cost of  
9           fee collection, notification of fee requirements, direct infra-  
10          structure, fee program management costs, bonding of vol-  
11          unteers, start-up costs, and analysis and reporting on pro-  
12          gram accomplishments and effects.

13       **SEC. 5. REPORTS.**

14          On January 1, 2006, and every three years thereafter  
15          the Secretary shall submit to the Congress a report detail-  
16          ing the status of the Recreation Fee Program conducted  
17          in units of the National Park System including an evalua-  
18          tion of the Recreation Fee Program conducted at each  
19          unit of the National Park System; a description of projects  
20          that were funded, work accomplished, and future projects  
21          and programs for funding with fees, and any recommenda-  
22          tions for changes in the overall fee system.

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