

60-day draft. E-mail comments to Jolene_Johnson@nps.gov by May 1, 2007.

Director's Order #22: Recreation Fees

Approved: _____
Director

Effective Date: _____

Duration: This order will remain in effect until amended or rescinded

This order, in conjunction with Reference Manual-22: Recreation Fee Guideline supersedes Recreation Fee Guideline NPS-22, Release No. 3, dated 1989, and supplements section 8.2.6 of *NPS Management Policies 2006*.

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1. Background, Purpose, and Scope

1.1 Background. The Recreation Fee Program supports the National Park Service (NPS) mission. Fee Program employees not only collect fees, but they also perform activities related to resource stewardship, education, and visitor use management. Fees assist the NPS in encouraging the sustainable use of national parks, and fostering the understanding and appreciation of park resources. Fees are primarily used to fund park projects that benefit visitors by enabling the NPS to undertake deferred maintenance, resource protection, and new programs and services.

Appropriations constitute the majority of funds used for national park management. However, appropriated funds have not kept pace with the growing financial demands of resource preservation and visitor services. The rationale for collecting fees in national parks to supplement appropriated funds is that people who use the parks should pay part of the cost incurred by the NPS for their visit, including expenses associated with avoiding and mitigating

impacts on resources and responding to increased demand for visitor services. Studies demonstrate that visitors understand why parks collect fees and support the practice.

1.2 Purpose. This order sets forth policy and assigns responsibilities for administering the National Park Service Recreation Fee Program. It supplements the general NPS policy for fee program administration as set forth in §8.2.6 of *NPS Management Policies 2006*.

1.3 Scope. The National Park Service collects fees using a variety of legislative authorities. The primary focus of this order is recreation fees, which include recreation entrance fees and expanded amenity (use) fees that are collected pursuant to the Federal Lands Recreation Enhancement Act (FLREA) (16 USC 6801-6814). This activity is referred to as the “NPS Recreation Fee Program” or “Fee Program” and is administered under the auspices of the National Fee Program office and the National Fee Projects office. There are several fee activities, such as Special Park Use fees, concession fees, and others that overlap to some extent with the NPS Fee Program (see section 5). This order addresses a number of these other fee activities to a lesser extent to provide the reader with a context for understanding the broader scope of NPS fees. However, this order does not discuss all aspects of these other activities, many of which are highly technical and subject to frequent change by statute, regulation, or policy. More details on those fee activities can usually be found in Director’s Orders or other guidance documents specific to them. More details concerning the NPS Fee Program are contained in [*Reference Manual 22 \(RM-22\): Recreation Fee Guideline*](#). Staff of both the National Fee Program office and the National Fee Projects office (WASO), and regional fee managers are other sources of information.

1.4 Explanation of terms. Abbreviations and special terms used in this order are defined where appropriate. A glossary is included in RM-22.

2. Authority

Authority to issue this order derives from the 1916 NPS Organic Act (16 USC §1-4), and delegations of authority contained in Part 245 of the Department of the Interior Manual. The statutory authority for the NPS Fee Program is contained in the Federal Lands Recreation Enhancement Act (16 USC 6801-6814). (See section 5 for discussion of other authorities to collect and expend fees.)

As with all components of the NPS directives system, this order is intended only to improve the internal management of the NPS. It is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or equity by a party against the United States, its departments, agencies, instrumentalities, or entities, its officers or employees, or any other person.

3. Principles and Objectives of the Fee Program

The NPS Fee Program (and all other fee-related activities) will be managed in accordance with the following principles and objectives:

- a. It will be designed with the primary purpose of supporting the NPS mission to protect park resources and provide visitor services.
- b. It will strive for consistency through technology, cost-effectiveness, efficiency, and integrity. Revenue generation is an important secondary emphasis of the fee program.
- c. It will emphasize customer service.
- d. Program management will be based on long-range planning and business principles to ensure strict accountability controls for all non-appropriated revenues.
- e. Fees will be collected fairly and equitably, and where administratively and economically feasible.
- f. Fee rates will not be set in a manner that discourages persons from visiting parks.
- g. It will be designed with an emphasis on a secure and safe work place for fee collection employees.
- h. It will be enhanced through cooperation with federal, state, and local agencies and entities to establish collaborative fee arrangements and passes where appropriate and feasible.

4. Roles and Responsibilities

Congress has shown a continuing high level of interest in the NPS Fee Program, which has frequently resulted in new or revised legislative authorities and requirements. The NPS must have the ability to respond quickly to these changing circumstances and ensure that appropriate guidance is issued in a timely manner. Therefore, the Assistant Director for Business Services and the Associate Director for Park Planning, Facilities, and Lands are delegated authority to issue updates to the policies and procedures governing the NPS Fee Program, as well as to outline in detail within RM-22 important procedural responsibilities. Updates will be issued in a systematic way, so as to afford efficient and convenient access to current information for all who have an interest in how the Fee Program is administered.

4.1 Assistant Director, Business Services.

In addition to the general delegation of authority, the Assistant Director will—

- a. Oversee the implementation of Service-wide collections policies applicable to the fee program.
- b. Refer significant collections policy decisions to the Director for disposition.
- c. Prepare and issue a recreation fee reference manual and other guidance related to collections to supplement this Director's Order.
- d. Coordinate and communicate with regional directors on all matters affecting fee collection.
- e. Coordinate and cooperate with all other programs and offices having functions relating to collection of fees (e.g., the Comptroller and Accounting Operations Center, Park Facilities Management Division, Development Advisory Board, and interagency groups).

- f. Develop and communicate policies, procedures, management controls and standards that are mission-oriented and customer service-oriented.
- g. Continually review the fee program, utilizing research data to quantify needs and determine requirements.
- h. Research, test, evaluate, and establish alternative business strategies and new technologies having potential to improve Fee Program performance.
- i. Provide guidance and technical advice to regions and the field related to fee collection.
- j. Approve/disapprove changes to fee schedules, establishment of additional fees, after review by regional offices.
- k. Approve/disapprove cost of collection projects in cooperation with the Associate Director for Park Planning, Facilities, and Lands, after review by regional offices.
- l. Develop and conduct fee management training with regions and parks, including a national fee program workshop when appropriate.

With the exception of the general delegation of authority, the Assistant Director may re-delegate, these authorities and responsibilities to the National Fee Program Manager within the Washington Office (WASO).

4.2 Associate Director for Park Planning, Facilities, and Lands

In addition to the general delegation of authority, the Associate Director for Park Planning, Facilities, and Lands will—

- a. Oversee the implementation of Service-wide expenditure policies applicable to the fee program.
- b. Refer significant expenditure policy decisions to the Director for disposition.
- c. Prepare and issue guidance related to expenditures to supplement this Director's Order.
- d. Coordinate and communicate with regional directors on all expenditure affecting fee program expenditures.
- e. Provide guidance and technical advice regarding expenditures to regions and the field.

With the exception of the general delegation of authority, the Associate Director may re-delegate, these authorities and responsibilities to the National Fee Projects Manager within the Washington Office (WASO).

4.2 Regional directors will directly, or by explicitly delegating authority to others—

- a. Administer the Fee Program for their regions in a manner that ensures accountability, integrity, internal controls, and compliance with the national fee program.
- b. Serve as a liaison between parks and WASO.
- c. Review parks' costs of collection, ensure appropriate use of funding, report and correct misuse and abuse of funds.
- d. Assign staff to monitor, account for, and report regional fee collection revenue and project oversight.
- e. Review and recommend changes to fee schedules, establishment of new fees, and submission of regionally approved fee rates.
- f. Develop and/or conduct and/or coordinate annual fee training within the region to ensure that park fee collectors are adequately trained.
- g. Provide program review, support, and technical advice on the fee program to superintendents and regional staff.
- h. Collaborate, coordinate, and integrate regional, cross-divisional fee program elements with maintenance, resources management, budget, finance, interpretation, and other operations to ensure that the fee program is effectively and efficiently run.
- i. Support WASO and Interagency initiatives and collaborative fee arrangements.
- j. Develop and maintain park-specific fee operations manuals to establish park standard operating procedures and serve as a supplemental fee management tool to RM-22. The manuals will not conflict with RM/DO-22 and a copy will be available to all employees who collect and account for fee revenue.
- k. Administer the fee program with the primary emphasis on customer service and resource protection.
- l. Develop and use effective management controls to ensure compliance with all federal regulations, policies, and guidelines for operations and fund management.
- m. Encourage field input and participation in WASO and/or regional training, work groups, fee workshops and other initiatives in support of the Service-wide fee program.
- n. Evaluate the efficiency and effectiveness of each park's fee program on an annual basis to ensure customer service, collection efficiency, and effectiveness of park staff in accomplishing projects, etc.

- o. Regularly evaluate pass acceptance at parks to ensure that park policies related to entrance and expanded amenity fees and transportation fees appear consistent to visitors.
- p. Facilitate park participation in the national reservation service when appropriate. Parks will not participate in another type of reservation system without approval from the Director.
- q. Develop and use effective management controls to ensure compliance with all federal regulations, policies, and guidelines for operations and fund management.

5. Fee Types and Fee Collection Authorities

Through a series of public laws, Congress has continued to define how the NPS manages the collection of fees. Although the primary focus of this order is recreation fees collected under the FLREA, there are a number of other types of fees that parks are authorized to collect, and that overlap with the NPS Fee Program. The FLREA and the most important of the other fee authorities are described in brief, below. The statutory authority under which a fee is collected determines how the NPS sets the fee, collects payment, retains the proceeds, and manages the fees. The appropriate authority must be used whenever a fee is established in a park. More detailed information on the other fees listed below can be found in other guidance documents specific to these programs.

5.1 The Federal Lands Recreation Enhancement Act (FLREA). The FLREA (16 USC 6801-6814; PL 108-447, Division J, Title VIII) became law December 8, 2004. This ten-year, multi-agency authority allows for no less than 80% of fees collected by the NPS, Bureau of Land Management (BLM), Bureau of Reclamation (BOR), Fish and Wildlife Service (FWS) and US Forest Service (USFS) to be retained by the collecting sites. It also (1) repealed the Recreation Fee Demonstration Program and most provisions of the Land and Water Conservation Fund Act, and (2) created a new interagency pass, the *America the Beautiful – the National Parks and Federal Recreational Lands Pass*, which replaces the *Golden Age*, *Golden Access*, *Golden Eagle* and *National Parks Passes*.

5.1.2 Fee management agreements. Section 6 of FLREA allows fee management agreements, including contracts, which may provide for a reasonable commission, reimbursement, or discount, with certain entities for specific purposes such as fee collection and processing, emergency medical and law enforcement services, etc. Specific policy will be provided in RM-22.

(See also section 13.1 below, Director’s Order #20: Agreements, and RM-20: Agreements Handbook.)

5.2 Special interpretive/living history fees. Section 3(g) of PL 91-383 (16 USC 1a-2(g)) allows parks to charge fees (known as 1a-2(g) fees) for products and services that are directly related to the park’s living exhibits and interpretive demonstrations. Through this authority, the park may sell products and services produced in living exhibits and interpretive demonstrations basing charges at fair market value; enter into contracts and cooperative agreements to provide

living exhibits and interpretive demonstrations; and, place income received from these authorized activities into accounts that pay the cost of conducting the activities.

- a. The 1a2(g) authority may not be used to charge fees for core interpretive tours, including cave tours, historic home tours, and other programs that are not related to living history exhibits and interpretive demonstrations;
- b. All fees using the 1a2(g) authority must be submitted annually as part of the Service-wide Fee Rate Change Request;
- c. Funds used to support the specific program for which they were imposed are available only for expenditure in the fiscal year in which they are collected.
- d. Fees collected using the 1a-2(g) authority are subject to the procedures that have been established to collect and safeguard revenue in this Director's Order and RM-22.

(See also Director's Order #6: Interpretation and Education.)

5.3 Transportation fees. Title V, section 501 of the National Parks Omnibus Management Act of 1998 (16 USC 5981) allows the NPS or an entity under a service contract with the NPS to impose a charge for a transportation service to recover costs associated with a park-provided transportation system (i.e., park operated or operated under a service contract). Use of this authority must be coordinated through the WASO Transportation Program Office, the WASO Fee Project Program, and WASO Fee Program. See also section 10, Establishing and Changing Fees.

5.3.1. Combined fees. Where transportation fees are collected in combination with entrance fees, passes must be accepted. Proposals for a combined fee of greater than \$25 must be coordinated with regional staff, WASO, Congressional delegations, and key stakeholder groups to ensure public acceptance.

5.3.2 Concessions-operated transportation systems. Concessions-operated transportation fees are set following procedures outlined by the Concessions Program. Pass discounts do not apply to fees collected by concession/contractors unless it is required as part of their concessions authorization. Existing concession authorizations that do not have this provision are not required to honor passes. As new fees are negotiated, acceptance of passes should be included if financially feasible.

5.4 Special park use permits and fees. Under various authorities, the NPS charges those who engage in special park uses cost recovery fees and fees for the use of park lands or facilities. Detailed information on special park uses and the fees associated with them are found in section 8.6 of *NPS Management Policies*, and in Director's Order #53 and RM-53.

5.5 Commercial use authorization (CUA) fees. CUA's replace Incidental Business Permits (IBP's) and are governed by DO-48B (being developed) and Commercial bus tours will become part of the new CUA structure. Until CUA regulations are in place, commercial bus tours should continue to pay for entry according to the Commercial Bus Tour Fee schedule in RM-22.

5.6 Concession fees. The Concessions Management Improvement Act of 1998 (16 USC 5951-5966) authorizes the NPS to establish concession contracts with private businesses to provide accommodations, facilities and services to visitors. Rates for those services are governed by a comparability process and approved by park superintendents. In some cases concessioners collect entrance, expanded amenity, and transportation fees for the NPS. This must be authorized either as part of their concessions contract or through a separate procurement contract.

6. Entrance Fees and Passes.

6.1 Entrance fees. An entrance fee is the recreation fee that authorizes entry onto lands managed by the NPS. The entrance fee can be collected upon arrival, or a variety of passes can be accepted in lieu of the fee. Entrance fees are valid for national park visits of one to seven (1 to 7) consecutive days; the duration of the standard length of stay is determined by the park superintendent.

A consistent pricing structure for entrance fees has been developed. This pricing structure is explained each year in the Annual Fee Rate Change Request. Parks must align their fees with the pricing structure. Exceptions to the pricing structure must be justified in writing by the Regional Director and authorized by the Assistant Director, Business Services.

6.2 Entrance passes. Entrance passes must be issued, honored, and validated, as stated on the pass in a manner that appears logical and consistent to visitors. Parks will ensure that passes cover the entrance fee in a manner consistent with the standard definitions and the criteria set out in FLREA Section 3 and in RM-22.

Passes are valid for entrance fees only. The pass is not valid for expanded amenity fees except in limited circumstances that may improve customer service or meet other needs. Such limited circumstances shall be approved by WASO via the regions to ensure consistency and reduce visitor confusion.

6.3 Cooperating association bookstore discounts for pass holders. Individual cooperating associations may, in the interest of good customer service, offer bookstore and other discounts to pass holders. However, there is no requirement or expectation to do so and, as a general matter, retail discounts at bookstores should not be viewed as a benefit of entrance passes.

(See also Director's Order #32: Cooperating Associations)

6.4 Commercial use of passes. Passes are valid for private, non-commercial use only.

6.5 Data collection & pass use statistics. The federal agencies that sell the *America the Beautiful – the National Parks and Federal Recreational Lands Pass* have agreed to establish pass use data collection procedures. The agencies will work to establish consistency in data collection methods and data elements collected. Statistics should be gathered by those parks that have the ability to gather and transmit pass sale and usage statistics.

6.6 Entrance passes as awards, gifts, etc. – Passes must be purchased before they can be issued as awards (including employee awards), gifts, donations to charity, raffle items, etc. Senior and Access Passes may not be used as awards, raffle drawings, etc. because potential pass holders must provide proof of eligibility for these passes. Passes purchased as gifts must be validated and punched to expire 12 months from the date of purchase.

6.9 Pass holder identification and verification. Since all passes are nontransferable the verification of pass ownership is a legitimate component of the program. Photo identification should be requested to verify pass ownership.

6.10 Pass transfers or exchanges. The visitor must be told the entrance pass is not transferable and can only be used by the signer(s). The visitor must also be informed that the pass will not be replaced if it is lost or stolen. Limited exceptions are described in RM-22.

6.11 Reporting requirement. The number of interagency passes including interagency regional passes sold or issued must be submitted to the regional fee manager as described in RM-22. See section 14.2.1 below and RM-22.

6.12 Third party sales of passes. See section 13.1

6.13 Transportation systems and pass acceptance. There are two situations where an entrance pass must be accepted for transportation fees:

- a. If the transportation system is mandatory to access the primary resource of the site, or
- b. If the transportation fee is collected in combination with the entrance fee.

Exceptions may be permitted on a site-by-site basis, but this must be coordinated at the regional and WASO levels. As new transportation systems are implemented or new concessions-operated transportation systems are negotiated, the transportation plans for these systems must address the issue of whether and how passes will be accepted.

6.14 Lifetime pass discounts. Interagency (IA) Senior and Access Pass holders are granted access to federal recreation sites that charge an entrance fee or a standard amenity recreation fee, and may receive 50% discounts on some expanded amenity fees. Detailed guidance is provided in RM-22. The following constitute policies for providing the 50% discount associated with IA Senior and Access Passes:

- a. **Individual campsites and sites with utility hookups:** The discount applies only to the fee for the campsite physically occupied by the pass-holder, not to any additional campsite(s) occupied by members of the pass-holder's party or for utilities hookups.
- b. **Group campsites and facilities (including, but not limited to, group facilities, picnic areas or pavilions).** There is no discount for group campsites and other group facilities that charge a flat fee. If the group campsite has a per-person fee rate, only the passport holder receives a discount; others using the site pay the applicable fee.

- c. **Guided tours.** Only the pass-holder receives a discount for guided tours.
- d. **Transportation systems.** There is no discount when an optional transportation service is offered. However, the pass should be honored (1) if the transportation system is mandatory to access the primary resource of the recreation site, OR (2) if the transportation fee is collected in combination with the entrance fee.
- e. **Concessioner fees.** Discounts do not apply to fees collected by concessioners or contractors unless it is required as part of the contract. Existing concessions contracts that do not have this provision are *not* required to honor passes. However, parks should consider offering the 50 percent discount on both park-operated optional transportation systems and concession operated optional transportation systems (where feasible and/or required by the terms of the concessions contract). As new contracts are negotiated, acceptance of passes should be included if financially feasible.
- f. **Special recreation and special park use permit fees.** Discounts do not apply to special recreation or special park use permits.

6.15 *America the Beautiful – the National Parks and Federal Recreational Lands Pass (Interagency Pass)*. There are 4 versions of the *America the Beautiful – the National Parks and Federal Recreational Lands Pass* (annual, senior, access and volunteer) as well as hangtags and decals. Details guidance for pass issuance and acceptance are provided in RM-22.

6.16 Park-specific, regional, and non-recreational passes.

6.16.1 Park-specific passes. If a park chooses to issue park-specific passes, the park is responsible for their production and cost. Design of park-specific passes must be in accordance with design guidelines in RM-22. The park must establish the price of the park-specific pass through the Annual Fee Rate Change request (see section 10). Wording on park-specific annual passes should align with that on the Interagency Annual Pass.

6.16.2 Regional passes. Parks that consider entering into interagency regional pass or reciprocal pass arrangements with other parks or government agencies must get approval from the regional office with concurrence by the National Fee Program Office (WASO). If the park participates in reciprocal arrangements, procedures and guidelines must be outlined in the park-specific fee operations manual. See section 13.1.

6.16.3 Non-recreational passes. If a park chooses to issue non-recreational passes (e.g., for employee or concession entry), the park is responsible for their design, production, and other costs. Non-recreational pass requirements and procedures must be addressed in the park-specific fee operations manual. No fee is charged for these passes.

6.17 The National Parks Pass, Golden Eagle, Golden Age, and Golden Access Passports. The National Parks Pass, Golden Eagle, Golden Age, and Golden Access Passports, were replaced by the *America the Beautiful – the National Parks and Federal Recreational Lands*

Pass and are no longer sold. Existing passes will continue to be honored in accordance with the terms agreed to at the time of issuance.

6.18 Pass refunds, upgrades, exchanges, and voids. All refunds, upgrades, exchanges, and voids of passes must be tracked and reported to NPS Regional Fee Managers.

6.18.1 Refunds. Pass refunds are generally not allowed. See RM-22 for exceptions.

6.18.2 Upgrades. An upgrade occurs when the amount spent on a previously purchased entrance fee is credited toward the purchase of a pass. Upgrades between federal agencies will not be permitted. NPS permits certain upgrades only among NPS sites. See RM-22 for the current NPS upgrade policy.

6.18.3 Exchanges. All parks must exchange automated fee machine receipts for the appropriate pass. See RM-22.

6.18.4 Voids. Voids generally occur if a pass has been punched or sold and signed incorrectly.

7. Group Fees

7.1 Non-commercial groups. A *non-commercial group* is one that is traveling together, such as scouts, a club, a church, or a family reunion that has created its own itinerary. Non-commercial groups should be charged in accordance with guidelines in RM-22.

7.2 Commercial groups. A *commercial group* consists of one or more persons traveling on an itinerary that has been packaged, priced, or sold for leisure/recreational purposes by an organization that realizes financial gain through the provision of the service. Commercial groups may arrive in a single vehicle or in multiple vehicles or caravans.

- a. *If entrance fees are collected as vehicles enter a park*, the park is required to use the established Commercial Group Fee Schedule (available in RM-22).
- b. *If entrance fees are not collected at an entrance station as the vehicle enters the park (i.e. fees are collected in a visitor center, etc)*, the park should *not* use the Commercial Group Fee Schedule. These parks should charge each individual in a commercial group the per-person fee.

Because there are currently no Commercial Use Authorization (CUA) regulations for multiple-vehicle tours, commercial groups arriving in multiple vehicles or “caravans”——should be charged as follows:

- a. *If entrance fees are collected as vehicles enter a park*, charge each vehicle the single-vehicle fee.

- b. *If entrance fees are not collected at an entrance station as the vehicle enters the park (i.e. fees are collected in a visitor center, etc.). Charge each individual the per person fee. Passes are accepted for entry at per-person fee parks as stated on the back of the pass*

7.2.1 Fee rate changes for commercial groups. Fees for vehicle-based commercial tours that fall under the Commercial Tour Fee Schedule can only be changed upon approval by WASO in conjunction with a one-year notification to the tour industry.

8. Exceptions to Paying Established Fees

8.1 General. Those who lawfully enter or use a park for activities not related to recreation will not be charged an entrance fee. Examples of non-recreation exemptions include persons entering parks for:

- First Amendment activities, which are exempt from all fees;
- special park uses such as agricultural, grazing, and commercial filming activities (all of which are subject to special park use fees);
- NPS-authorized research activities;
- federal, state, tribal, and local government business;
- hospital in-patients involved in medical treatment or therapy;
- a leaseholder or property owner accessing their property;
- outings conducted for noncommercial educational purposes by schools and other bona fide academic institutions.

Under FLREA, academic fee waivers are granted only for entrance fees. Expanded amenity fees may be waived at the discretion of the superintendent.

Current law (the Federal Lands Recreation Enhancement Act) prohibits charging entrance fees to persons 15 years of age and younger. In Alaska, the Alaska National Interest Lands Conservation Act prohibits charging entrance fees to all national parks except Denali National Park.

8.2 Fee-free days. The NPS annually observes one fee-free day: National Public Lands Day, which is typically celebrated the last Saturday in September and is an interagency fee-free day. Other fee-free days may occur through Presidential or Departmental declaration. These days will be communicated to the field through memoranda. Superintendents may request additional fee-free days for special events through the regional director. (See section 8.3 and RM-22)

8.3 Fee suspensions. The superintendent may suspend recreation fees when it is in the public's interest. Examples include emergencies, natural disasters, planned events, or whenever it is not feasible to collect fees. The superintendent must develop procedures for suspending fees and include them in the park-specific fee operations manual.

- *For emergencies and natural disasters, the superintendent will notify the regional director why the suspension is (or was) necessary, including the nature of the event or emergency; the reason/s for suspending the fee(s); the type of fee(s) involved; the*

duration of suspension (number of days, date(s); and an estimate of fee revenues lost due to the suspension. Notification will precede or promptly follow the event.

- *For planned events or additional Fee-Free Days*, the superintendent will notify the regional director, in advance, why the suspension or fee free day is necessary, estimate potential loss of revenue and how the loss affects the park's comprehensive plan and deferred maintenance goals. If the regional director concurs, a memo must be forwarded to notify the Assistant Director, Business Services (WASO) before the fee suspension or fee-free day is announced to the public.

8.4 Other fee exceptions. For exceptions to other fees mentioned in section 5 of this Director's Order, please refer to the guidance documents specific to those programs.

9. Expending Fee Program Revenue

FLREA allows for expenditures of fees for repair, maintenance and facility enhancement directly related to visitor enjoyment; interpretation, visitor information, visitor service, visitor needs assessments, and signs; habitat restoration directly related to wildlife-dependent recreation that is limited to hunting, fishing, wildlife observation, or photography; law enforcement related to public use and recreation; direct operating or capital costs associated with the recreation fee program; and for implementing a fee management agreement established under section 16 USC 6805(a) or a visitor reservation service.

Expenditures of fee revenue are closely monitored. Guidance, including specific procedures, for allowable expenditures is issued through the annual [Service-wide Comprehensive Call \(SCC\) memorandum](#).

9.1 Cost of collection. Fee revenue retained by parks will fund direct collection costs. Authorized expenses are listed in with guidance provided through the annual [SCC](#) memorandum. Park superintendents should strive for the lowest possible cost to revenue percentage to operate their program. Regional targets (COC percentages) are outlined each year in the annual SCC. No fees will be collected in circumstances in which the costs of collection would exceed revenue, or where prohibited by law, regulation, or policy.

9.2 Cost of collection projects. Annual cost of collection projects are submitted and approved via the Project Management Information System (PMIS). Guidance is provided in the annual [SCC](#).

10. Establishing and Changing Fees

Parks must obtain approval from regional and WASO Fee Program Offices before establishing or changing entrance, expanded amenity, special recreation permit fees, or transportation fees. Fees may be established, implemented and/or changed only in compliance with the approval process outlined in the [Annual Fee Rate Change Request](#). Requirements include:

- a. **Fee Implementation Plan.** Proposed new fees require submittal of a Fee Implementation Plan as part of the Annual Fee Rate Change Request.
- b. **Expanded amenity fees.** A fee for a service such as camping must be set so that it does not create unfair competition with private sector facilities in the area. Comparability studies for expanded amenity fees must be done annually.
- c. **Parking fees.** All parking fees proposed as expanded amenity fees must be reviewed and approved by the regional director and WASO.
- d. **Transportation fees.** Transportation Fees cannot be established without first submitting a transportation proposal to the Transportation Management Program and receiving approval before submitting the request for a transportation fee through the Annual Fee Rate Change request. In addition,
 - o Consequent increases to the price of a park-specific pass due to transportation fees must also be included in the Annual Fee Rate Change Request
 - o If a park charges a vehicle-based entrance fee, the transportation fee must also be vehicle based. An individual transportation fee should be charged at sites with per person entrance fees. In both cases, the transportation fee is collected at the same time as the entrance fee.
 - o Pass discounts do not apply to fees collected by concessioners or contractors unless it is required as part of their authorization. Existing concession authorizations that do not have this provision are not required to honor passes. As new contracts are negotiated, acceptance of passes should be included if financially feasible.

See also section 5.3, Transportation Fees.

10.1 Civic engagement with the public and stakeholders. Park managers who consider establishing or changing a fee that results in increased financial impact to the visitor must engage the public and obtain input from Congressional delegations, appropriate Federal, State and county officials, the local Chamber of Commerce, and the general public and other stakeholders before the fee is proposed. Certain stakeholder groups, such as commercial tour operators, must be notified at least 1 year prior to establishing new fees or changing existing fees.

New fees established through the Annual Fee Rate Change Request usually take effect the following January. If a new fee area is established (i.e., a park has never charged a fee under FLREA), the park must coordinate with the regional fee manager for publication of a notice in the Federal Register 6 months before the new fee is implemented. Specific guidelines for civic engagement are found in [Director's Order #75A: Civic Engagement and Public Involvement](#), and RM-22.

10.2 Requirement to post signs. FLREA requires that clear notice of any entrance fee and available recreation passes be posted at appropriate locations (such as entrance stations and other fee collection sites) in each unit or area where those fees are charged. Such notice must also be included in publications distributed at the unit or area. In addition, the park should post clear notice of locations where work is performed using recreation fee revenues collected under FLREA. Transportation fees collected as a seamless entrance fee do not need to be posted individually on entrance fee signs.

10.3 Reporting requirements. All fee rates and other information about entrance, expanded amenity, special recreation permit, special interpretive/living history, and transportation fees must be provided during the Annual Fee Rate Change Request, even if these fees are collected by concessions or cooperating associations on behalf of parks. See RM-22.

11. National Reservation Service

Superintendents are encouraged to participate in a reservation service for campgrounds and other facilities, and for tours or other services operated or provided by the NPS for visitors when doing so will

- better serve park visitors, or
- ensure the protection of park resources, or
- increase public awareness of lesser-known parks, or
- improve the efficiency of park operations or administration.

To avoid duplicative costs and confusion, if a reservation service will be employed in a park, the Service-wide recreation reservation contractor will be the preferred provider of that service. The contractor's services may be expanded or new services may be developed based on NPS needs and the contractor's capacity to accommodate the needs. If a superintendent wishes to participate in a different reservation system, a determination must first be made that the Service-wide vendor will not accommodate the park's reservation needs. Authorization must be obtained from the Director before participating in a different reservation system. Concessioners who manage lodging and camping services are not required to transfer their existing reservation services to the Service-wide reservation system. However, they are encouraged to do so when it is administratively, operationally, and financially feasible, in order to provide more seamless reservation services to the public.

12. Personnel

12.1 Background investigations. Background investigations are required for all employees; those who handle government money are subject to specific additional checks as part of the investigation. The objective of the background investigation is to determine the suitability of employees for collecting and transporting fee revenue and to protect government funds (see Section 14.1 and RM-22).

12.2 Volunteer fee collectors. Volunteers who are bonded and trained may sell permits and passes at visitor centers and campgrounds, and may assist with money collection at entrance stations and campground kiosks as long as fee collection is not their primary duty. Procedures for authorizing volunteers to collect fees are provided in RM-22.

(See also Director's Order #7: Volunteers in Parks).

12.3 Cooperating association employees performing fee collection duties. If the cooperating association and the park mutually agree, association employees may perform fee collection duties, but only if these duties are incidental to their normal duties and only if they do so in the

capacity of NPS volunteers. Procedures for authorizing cooperating association employees to collect fees are provided in RM-22.

(See Director's Order #32: Cooperating Associations).

12.4 Fee collector designations. Employees, including volunteers, who receive, handle, have custody of, or account for monies, negotiable instruments, remittances, or other funds as a result of NPS activities must be designated in writing as fee collection officers. In addition, an employee who is designated to receive an advance from NPS appropriations for change-making purposes must be designated a Class D cashier. See RM-22

12.5 Position descriptions and performance standards. Position descriptions and performance standards for fee collection employees must require that employees comply with audit, quality assurance, and internal control measures.

12.6 Training. All fee collectors, regardless of employment status, must be trained in appropriate collection and accounting procedures for fee revenues. They must also be trained to answer questions and provide information about the NPS and the park unit while serving as representatives of the NPS. Training will also be provided to park personnel who are not classified as fee collectors but who support and participate in fee collection activities. Volunteers and cooperating association employees who collect fees must receive training comparable to that given to other fee collection employees. The park-specific fee operations manual, along with RM-22, will provide the basis for fee collection orientation and training.

13. Fee Collection Practices and Procedures

Parks must adhere to the methods and procedures described in RM-22. Following are some key points:

13.1 Fee collection through third parties. FLREA Section 6 provides for parks to enter into agreements with government or non-government organizations, including those in a gateway community for the purposes of obtaining fee collection services. Some common examples include reciprocal agreements with other federal agencies, pass or entrance fee sales at stores, welcome centers, or local hotels in gateway communities, or by cooperating associations or concessioners within a park. A contract or agreement will be required of each third party organization that sells entrance fees or passes on behalf of a park. The sales arrangement, including payment and invoicing, must be described in the contract or agreement. Non-government entity employees who collect money on behalf of the NPS may be required to undergo some type of background investigation. The requirements must be stipulated in the agreement or contract with the park.

13.1.2 Limitations on third party arrangements

- The third party organization and those representing the organization must not be in litigation with any Department of the Interior (DOI) or US Department of Agriculture (USDA) agency and must not have had any criminal convictions.

- The organization must properly reflect and align itself with the mission of the federal land management agencies, promote responsible behavior at federal recreation sites, and encourage public support and conservation of public lands.
- The Government reserves the right to disallow inappropriate organizations, promotion proposals and promotional materials.
- The organization will not be allowed to endorse its products or services when marketing, issuing, or selling the pass.
- The organization will be required to follow all Government business rules and requirements for third party sales as detailed in both RM-22 and interagency Marketing Guidelines and Policies.

13.1.1 National third party sales. Parks will *not* negotiate agreements or contracts with large national corporations or organizations for nationwide sales of passes or promotions. These arrangements must be coordinated through the regional fee program manager in consultation with the WASO fee program office. Locally managed agreements between parks and **regional** or **national** organizations that existed prior to introduction of the *America the Beautiful – the National Parks and Federal Recreational Lands Pass* (Interagency Pass) may continue to be managed locally upon review and approval by the National Pass Program Office.

13.1.3 Contracts. A contract must be used where government funds are being *expended* for services that directly benefit the government. Contracts rather than agreements are the preferred instrument when parks must be able to ensure standards for quality of work, compliance requirements, and that corrective action can be taken if the requirements of the contract are not met. A concessioner or other contractor who sells annual passes or collect fees must be authorized to do so either as part of the primary contract *or* as part of a separate contract.

13.1.2 Agreements. Commonly used agreements for third party sales are the Interagency Agreement (IA) and the Memorandum of Agreement (MOA). *Interagency agreements* are written between two or more federal agencies in which one federal agency (servicing agency) provides services such as pass sales or other reciprocal arrangements to honor entrance receipts, to another agency. Interagency agreements must outline revenue-sharing arrangements and operational protocol. These arrangements must be coordinated, reviewed, and approved by the regional and national fee program offices. The *Memorandum of Agreement* is a written agreement between NPS and local governments, nonprofit organizations, corporations, individuals, and other federal agencies used to document receipt of funds, goods, and/or services by the NPS from a non-federal party.

Further guidance, as well as sample agreements are provided in RM-22, and in the interagency Marketing Guidelines and Policies (provided as an appendix to RM-22).

(See also Director’s Order #20: Agreements, and RM-20: Agreements Handbook.)

13.2 Forms of payment. The NPS may accept cash, gift checks, personal checks, traveler’s checks, and credit cards in U.S. funds only, except where special regulations have been developed to process foreign currency.

13.2.1 Checks. In accordance with the Debt Collection Improvement Act of 1996 (DCIA), parks are required to obtain a Tax Identification Number (TIN) or Social Security number (SSN) when accepting checks that meet a minimum dollar threshold in order to collect on a debt if the check is returned. When a Social Security number is required, a Privacy Act disclosure statement must be made available. The park's check acceptance and debt collection policy must be addressed in the park-specific fee operations manual. See RM-22.

13.2.3 Alternate payment plans and vouchers. Alternate payment and vouchers plans may be established upon approval of the park superintendent.

13.3 Remitting, depositing, and reconciling fee revenue. Superintendents must comply with established US Treasury remittance and deposit procedures including:

- a. **Separation of duties.** Separation of duties is the clear division between fee collection and deposit preparation with subsequent assignment of these tasks to different persons. No individual person will perform both on his or her own. At least two people must be present when completing the deposit or counting money.
- b. **Frequency of Deposits.** In accordance with US Treasury regulations, a deposit must be made when the total receipts reach \$5,000. Collections totaling less than \$5,000 may be accumulated and deposited when the total reaches \$5,000.
- c. **Deposit methods.** NPS revenues must be delivered to the bank by the quickest and safest method available. The Treasury Department encourages agencies to use electronic mechanisms, such as Treasury's TGAnet electronic depositing program to expedite the collection process and reduce costs associated with making deposits.
- d. **Reconciliation of deposits.** Parks are required to reconcile all fees collected and deposited against revenue reports such as those provided by the Federal Financial System (FFS), Plastic Card Collection Network (PCCN), and others. Guidance is provided in RM-22.
- e. **Debt collection.** In accordance with the DCIA, the Accounting Operations Center (AOC) and/or parks will pursue collection of bad debt resulting from returned checks, credit card charge-backs, and other variances. See RM-22.
- f. **Overages and shortages.** All overages and shortages must be documented. Shortage waivers require the superintendent's signature. Shortage limits and actions related to suspected fraudulent conduct must be addressed in the park-specific fee operations manual.
- g. **Form retention.** Certain standard forms and documents related to remittance, deposit, and reconciliation are required to be kept for audit purposes. See RM-22.

13.4 Security. Employees must be provided a secure and safe workplace and be informed of safety and security procedures. Parks must take all precautions to protect personnel as well as visitors who might be threatened incidentally by a robbery attempt. Fee collection facilities will be located, designed, and built with security in mind. See RM-22.

14. Management Controls: Program Integrity and Accountability

14.1 Background Investigations. Newly hired NPS seasonal, temporary, and permanent fee collectors or employees who handle government monies are subject to specific background investigations. Background investigation procedures are detailed in RM-22.

14.1.1 Privacy of Background Investigation Information. NPS staff who initiate and review background investigation documents play a critical role in safeguarding this information. These individuals must be sufficiently trained in the provisions of the Privacy Act (PA). Information contained on the background-investigation forms is confidential and must be handled appropriately.

14.1.2 Background investigations on volunteers, cooperating association employees, and contractors who collect fees on behalf of NPS. Volunteers with fee collection duties do not need a background investigation; however, they must be bonded by a surety bond. Non-government entity employees who collect money on behalf of the NPS may also be required to undergo some type of background investigation. The requirements must be stipulated in the agreement or contract with the park.

14.2 Inventory control. Inventory includes entrance passes and permits, which are given the same level of security as cash. Inventory controls will include a clear separation of duties between persons collecting fees and persons receiving and distributing inventory. Refer to RM-22.

14.2.1 Destruction of passes. All parks are responsible for documenting and destroying all annual pass stock as well as damaged, expired, or obsolete pass stock, following NPS policy. The park may be required to provide copies of the forms to the National Fee Program Office in order to reconcile passes against the park's reported revenue

14.3 Variances. Employees may be held personally liable for any loss of funds or stock in their care. An employee will not be held personally liable when the loss occurs from conditions outside the employee's control or when the loss does not result from employee negligence or dishonesty. However, if a variance is a result of negligence or dishonest conduct, the employee may be subject to penalties including disciplinary action, termination, and criminal charges. Employees who make recurring errors resulting in overages or shortages must be counseled and retrained. All thefts of money or accountable stock will be investigated by commissioned law enforcement. Additional information concerning personal accountability can be found in 31 U.S.C. §3302.

14.4 Internal fee fraud. Superintendents must provide for a fair, legal, and efficient procedure to detect and curb misuse or theft of fees and passes. Parks should have systems in place such as

those described in RM-22 that help prevent internal fraud. These include performing background investigations, separation of duties, and fee collector and fee program audits. Fee collection employees must be audited on a regular basis. All audits must be documented. See RM-22.

14.4.1 Road audits. A road audit involves asking visitors about their interaction with the fee collector after they have entered the park. Specific standards regarding who is to conduct road audits must be addressed in the park-specific fee operations manual. If vehicles will be stopped *on park roads* by uniformed personnel, there must be a commissioned NPS law enforcement officer present.

14.4.2 Reporting Internal Fraud. If an audit, internal review, or other internal control procedure indicates any financial irregularity associated with the fee collection program, the irregularity must be reported immediately to the superintendent. The superintendent is required to notify the regional fee manager, who notifies the DOI Inspector General. The report submitted to the Inspector General must identify actions to correct the deficiency, and the park must implement those actions.

14.5 External fee fraud or misuse. Park fee programs must establish procedures for curbing external fraud or misuses. See RM-22.

----End of Director's Order----