

Analysis of the Proposed Legislative Act S.2438 in the 110th Congress

Title - Fee Repeal and Expanded Access Act of 2007

Purpose - to repeal and amend the Federal Lands Recreation Enhancement Act.

Reading this Act can be tricky, but, as introduced into Congress on December 10, 2007, the Act would do the following:

1. (Section 801) Repeal the Federal Law that created the "America the Beautiful Pass". [16 U.S.C. 6801 to 6811]
2. (Section 2) Replace these sections of the law with the authority by the U. S. Park Service to charge the usual fees for entrance, use of facilities and camp sites in lands managed by the National Park Service (Please note that it specifically prohibits the Bureau of Land Management [BLM] or the U.S. Forest Service [USFS] to charge these fees.).
3. All fees allowed under the Act are to be largely used in the area collected, by the US Park Service, under percentages listed in this Act including the amounts that can be allocated to administrative costs.
4. (Section 3) Reinstates several former law provisions including the "Golden Age Pass" However, it does authorize a substantial increase in the cost of the various National Park Passes.

In general it would repeal the so called "RAT - Recreational Access Tax" (not a name used in the law) that the previous legislation put into place. It does, however raise the amount that can be charged by the National Park Service, for public use of lands and facilities under its management. Other Federal lands managed by the Bureau of Land Management (BLM) and the United States Forest Service, (USFS) would lose the ability to charge fees for most of the facilities as authorized under the law that created the "America the Beautiful Pass. It is not clear where the BLM and USFS will stand on charging fees for campsites and dock facilities. etc. Also unclear are fees charged for use or access of the National Monuments the BLM/USFS manage, such as Mt. St. Helen National Volcanic Monument, etc.

Undoubtedly this is an attempt to revert to previous law as it stood before the enactment of the law that created the "America the Beautiful Act. It is also unclear as to the status of the people who already purchased these new passes. As such it probably raises more questions than gives answers.

If you want my opinion, I don't like the "repeal" any better than I liked the "original RAT". I personally don't mind paying fees or buying passes as long as I get something for my money, and the money paid goes to support of these services and facilities and is reasonable in cost. However, I should also not be required to

pay anything if I do not use these facilities and I should still have reasonable access to public land when and if I wish, as should all people. Yes I would like to see some change, but I am not convinced that this new proposed legislation is the answer. Hope this helps...

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