



THE SECRETARY OF THE INTERIOR  
WASHINGTON

ORDER NO. 3386

Subject: Free Access to National Parks and Other Federal Lands Managed by the Department of the Interior for U.S. 5th Grade Students During the 2020-2021 Academic Year

Sec. 1 **Purpose.** This Order is intended to ensure that U.S. 5th grade students who may not have been able to make full use of the Every Kid Outdoors Annual 4th Grade Pass during the 2019-2020 academic year due to the COVID-19 pandemic, will have free access to national parks and other Federal lands managed by the Department of the Interior (Department) during the 2020-2021 academic year, ending August 31, 2021.

Sec. 2 **Background.** The Department manages approximately 20 percent of the land in the United States, serving nearly 500 million visitors per year, through the work and dedication of over 66,000 employees and 280,000 volunteers. The Federal Lands Recreation Enhancement Act (Public Law 108-447, "FLREA"), enacted in 2004, authorizes the National Park Service (NPS), U.S. Fish and Wildlife Service (FWS), Bureau of Land Management (BLM), Bureau of Reclamation (BOR), and U.S. Forest Service (USFS) to collect and retain revenue for visitor access to Federal lands, and requires that fee revenue be used to enhance the visitor experience.

The FLREA authorized the Secretary of the Interior and Secretary of Agriculture to establish the America the Beautiful—the National Parks and Federal Recreational Lands Pass Program (Interagency Pass Program), which covers entrance fees for certain lands and waters managed by NPS and FWS, and standard amenity recreation fees for certain lands and waters managed by BLM, BOR, and USFS. The Interagency Pass Program was implemented in 2007 and now includes an annual pass for \$80; an \$80 lifetime pass and \$20 annual pass for those age 62 years or older; a free lifetime pass for persons with permanent disabilities (Access Pass); a free military pass for current service members and their dependents; and a free volunteer pass.

The Interagency Pass Program also includes the Every Kid Outdoors Annual 4th Grade Pass, established in 2015, which provides a free annual pass for U.S. 4th grade students. Congress codified the Annual 4th Grade Pass in the John D. Dingell, Jr. Conservation, Management, and Recreation Act of 2019 (Public Law 116-9).

Some of the national parks and other Federal lands managed by the Department closed or limited access during the COVID-19 pandemic, preventing 4th grade students from using the Annual 4th Grade Pass for part of the 2019-2020 academic year.

The Department is committed to ensuring that every U.S. 4th grade student has the opportunity to visit and enjoy our Nation's most treasured natural resources free of charge for a full academic year. In accordance with that commitment, the Department will ensure that U.S. 5th grade students who may not have been able to make full use of the pass for part of that academic year due to the COVID-19 pandemic, will have free access to national parks and other Federal lands managed by the Department during the 2020-2021 academic year, ending August 31, 2021.

Sec. 3 **Authority.** This Order is issued under the authority of section 805 of FLREA, as amended.

Sec. 4 **Policy.** The Department will ensure that U.S. 5th grade students who may not have been able to make full use of the pass for part of the 2019-2020 academic year due to the COVID-19 pandemic, will have free access to national parks and other Federal lands managed by the Department during the 2020-2021 academic year, ending August 31, 2021.

Sec. 5. **Implementation.** The NPS, in consultation with BLM, BOR, and FWS, is responsible for ensuring U.S. 5th grade students will have free access to national parks and other Federal lands managed by the Department during the 2020-2021 academic year, ending August 31, 2021.

a. For the purposes of this Order, the term “5th grade students” means any public or private school student who has completed the 4th grade, but not the 5th grade as of September 1, 2020, or home-schooled learner who has had their 9th, but not their 10th birthday on or before September 1, 2019, and resides in the United States, including any territory or possession of the United States.

b. The NPS, BLM, BOR, and FWS shall, to the maximum extent possible, apply the benefits of the 4th Grade Pass program to all 5th graders for the remainder of the 2020-2021 academic year, ending August 31, 2021.

c. This Order shall only apply to the “Federal land management agencies” within the Department, 16 U.S.C. § 6801(4), and to “entrance fees” and “standard amenity recreation fees” collected by those agencies, as set forth in 16 U.S.C. §§ 6801(1) and 6801(3).

d. This Order shall not affect the collection of any other revenue, including the sale or collection of “recreation passes” defined in 16 U.S.C. § 6801(9), pursuant to 16 U.S.C. § 6804, which may continue to be sold after the effective date of this Order.

Sec. 6 **Expiration Date.** This Order is effective immediately and will remain in effect until its provisions are implemented or until it is amended, superseded, or revoked, whichever comes first. The termination of this Order will not nullify implementation of the requirements and responsibilities effected herein.

Secretary of the Interior

Date: October 28, 2020