

114TH CONGRESS
1ST SESSION

H. R. 2215

To amend the Fair Labor Standards Act of 1938 to broaden an exemption to the minimum wage and maximum hours provisions of that Act for certain seasonal workers in national parks and forests.

IN THE HOUSE OF REPRESENTATIVES

MAY 1, 2015

Mr. STEWART (for himself, Mr. LAMBORN, Mr. GOSAR, Mr. ZINKE, Mrs. LUMMIS, and Mr. AMODEI) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend the Fair Labor Standards Act of 1938 to broaden an exemption to the minimum wage and maximum hours provisions of that Act for certain seasonal workers in national parks and forests.

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 “Outdoor Recreation
5 Enhancement Act”.

1 **SEC. 2. EXEMPTION FOR CERTAIN SEASONAL WORKERS IN**
2 **NATIONAL PARKS AND FORESTS.**

3 Section 13(a)(3) of the Fair Labor Standards Act of
4 1938 (29 U.S.C. 213(a)(3)) is amended—

5 (1) by striking “except that” and all that fol-
6 lows through “Secretary of Agriculture”; and

7 (2) by inserting before the semicolon the fol-
8 lowing: “, provided that, for the purposes of this
9 paragraph, an employee of an entity engaged in pro-
10 viding services or facilities directly related to outfit-
11 ting and guiding or similar outdoor recreation activi-
12 ties, or rental of outdoor recreational equipment (in-
13 cluding services, facilities, or equipment relating to
14 rafting, boating, zip lines, campgrounds, horseback
15 riding, bicycling, hiking, guest ranches, summer
16 camps, hunting, and fishing), or a private entity en-
17 gaged in providing services and facilities directly re-
18 lated to skiing, shall be considered an employee em-
19 ployed by an establishment which is a recreational
20 establishment”.

21 **SEC. 3. NOTIFICATION OF CHANGE OF EXEMPTION.**

22 (a) **IN GENERAL.**—In connection with any contract,
23 permit, license, or other agreement entered into between
24 the Federal Government and an employer of an employee
25 described in section 13(a)(3) of the Fair Labor Standards
26 Act (29 U.S.C. 213(a)(3)) prior to the date of enactment

1 of this Act, the head of the agency that entered into such
2 contract, permit, license, or other agreement shall—

3 (1) notify the holder of such contract, permit,
4 license, or other agreement, of the applicability of
5 the exemption in such section, as amended by this
6 Act; and

7 (2) modify such contract, permit, license, or
8 other agreement to reflect the change to such ex-
9 emption as a result of the amendment made by sec-
10 tion 1, including by removal of the contract clause
11 set forth in Appendix A of part 10 of title 29, Code
12 of Federal Regulations, if such clause is included in
13 such contract, permit, license, or other agreement,
14 without requiring consideration or any other amend-
15 ment to the terms and conditions of such contract,
16 permit, license, or other agreement.

17 (b) RULE OF CONSTRUCTION.—No action taken
18 under this section shall be considered a major Federal ac-
19 tion significantly affecting the quality of the human envi-
20 ronment within the meaning of the National Environ-
21 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

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